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AN
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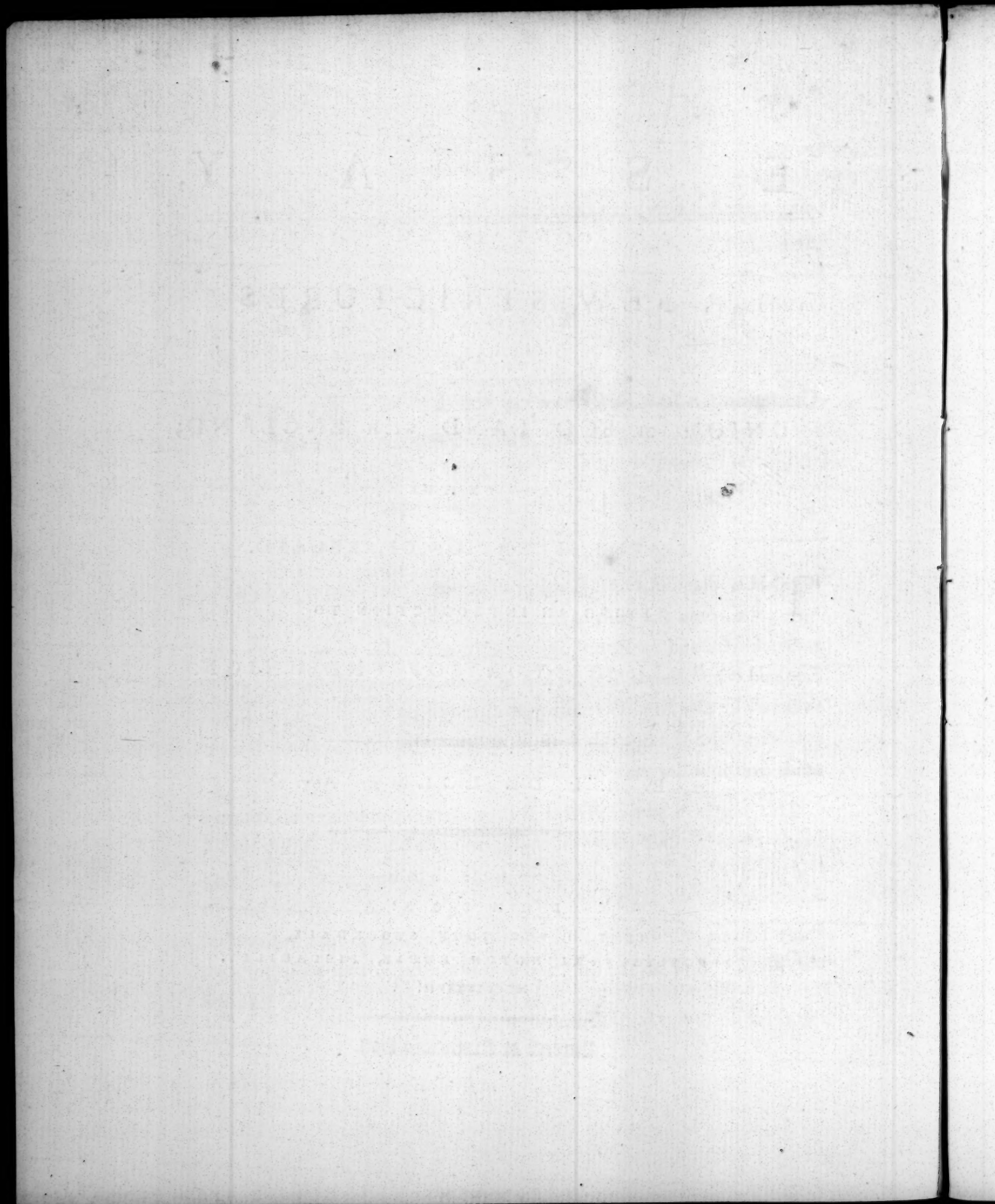
ON THE
UNION OF SCOTLAND WITH ENGLAND;
AND ON THE
PRESENT SITUATION OF IRELAND.

BEING AN INTRODUCTION TO
DE FOE'S HISTORY OF THE UNION.

By J. L. DE LOLME, Adv.

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A N E S S A Y

Containing a few Strictures on the Union of Scotland with
England, and on the present Situation of Ireland.

By J. L. DE LOLME, Adv.

THE Island of Great Britain extends over nine degrees of latitude, viz. from the 50th to the 59th, reaching therefore as far north as Stockholm and St. Petersburg or very near. Of these nine degrees England comprehends five, reckoning to Carlisle, — and fix, reckoning to Berwick; the English territory stretching northwards in a point, and indenting with the Scottish counties as far as that town. Scotland extends over four degrees of latitude.

This northern part of Great Britain, forming a contiguous country nearly three hundred miles in length, and one hundred and fifty broad, had from very remote times been united into one kingdom. Being thus united under one Head, it had been able to resist the efforts of all those Powers who had at different times subdued the southern part of the Island. And at the time of Edward the First, that is, about two

hundred years after the Norman Conquest, and four hundred years after the seven Saxon sovereignties had been united into one monarchy, Scotland still continued to form an independent, distinct kingdom.

The king we have just mentioned, Edward I. was the first king of England who manifested a settled design to subdue Scotland, and unite it to his crown: he was the more particularly allured to this, by the successful issue of his expedition into Wales, and the conquest he had been able to make of that principality.

An extremely favourable opportunity moreover offered itself to Edward. The crown of Scotland had become vacant, by the death of the late Sovereign without leaving issue. Two Candidates, sprung from the Royal family, laid claim to it. The decision of the dispute was referred to Edward I. by the two Claimants, and likewise by the body of the Scottish nobles, who were become apprehensive of a civil war among themselves. Edward, under pretence of proceeding with greater solemnity, invited the two Candidates, and the principal persons of the Scottish nobility, to meet him at Norham, in Northumberland, where he was at that time encamped with an army. Having thus got all the important persons of Scotland in his power, he proffered, on a sudden, in his own behalf, a claim of sovereignty and liege superiority over the kingdom of Scotland; and before he suffered either the Candidates or the Scottish nobles to depart, he compelled them to recognize his claim, and take an oath of fealty to him. About a year afterwards he gave his award on the dispute; and before he put the successful Claimant (John Baliol) in possession of the kingdom, he compelled him to renew his oath of fealty to him, and to bind himself to performing in future the different services which the feudal laws usually imposed upon Vassals, such as obeying summons, giving military aid, &c.

Conditions

Conditions that had been submitted to, amidst such circumstances, were not likely to be afterwards very faithfully executed. The failure of the Scottish king in performing those engagements that had thus been forced upon him, induced Edward to invade Scotland. He was so successful in this expedition, as both to defeat his new Vassal, and make him his prisoner. He carried him to London, where he kept him confined in the Tower; leaving, in the mean time, an English Governor, supported by an English military force, in Scotland.

The Scots took arms a second time, under the conduct of that renowned leader, William Wallace: but, after a series of considerable successes, they lost the great battle of Falkirk, in which Edward commanded in person; and Scotland was again brought under subjection.

Encouraged by the natural strength of their country, the Scots rose a third time, and, falling from their mountains and hidden fastnesses, drove the English garrisons before them. Edward led another army into Scotland. He was again successful, and carried his conquests in this third expedition, as well as his resentment, farther than he had done before.

A fourth time the Scots took arms; and Edward was once more marching a powerful army in order to reduce them, with a settled resolution to annihilate every remnant of resistance and opposition in Scotland, when he on a sudden fell sick, and died on the borders, in the sixty-ninth year of his age.

Edward, on his death-bed, had recommended to his son Edward II. to prosecute the war against the Scots, till that country were completely subdued. This prince, as soon as he was fully settled on his throne,

undertook an expedition against Scotland in person. But the fortune of war here favoured the Scots in their turn. They defeated Edward II. at Bannockburn, near Stirling. The victory they obtained over him was so decisive as to have been compared by historians to that won by William the Conqueror at Hastings.

This victory secured the Scots against any farther attempt from England during that reign. But the succeeding king, Edward III. soon resumed in his turn the design of conquering Scotland; and he displayed in his different enterprizes against the Scots, a degree of activity and earnestness equal to that manifested by king Edward I.

And, to say the truth, the conquest of Scotland was a project which ambition very naturally suggested to an English king. The dread of hostilities from so numerous a Nation, settled in the same Island in which his own kingdom was situated, kept him in a state of continual uncertainty or anxiety, and cramped the execution of his designs either for overcoming his rebellious barons and subjects at home, or for prosecuting his foreign wars and conquests. The very independency, besides, of so considerable a part of the island in which he reigned, seemed to cast discredit on his name in his own kingdom, and was a blot upon the reputation of his power and his arms, on the continent.

At the same time, the aim of an English king, in a war with Scotland, was not barely to wrest a few territories from that country, but to conquer the whole absolutely,—to reduce the king to the quality of a subject. This design was even openly avowed by the English kings; and, in order to forward the attaining of it, they had set up a claim (as hath been above observed) of liege superiority and feudal sovereignty

over

over that kingdom. Now, such a claim produced the effect of making peace almost impracticable between the two kings of England and Scotland. In fact, a claim of that tendency admitted of no compromise, nor could be qualified in a Treaty.

Another hurtful consequence of this claim of a liege superiority in the English kingdom, was, that it united the whole body of the Scottish nobility into a constant hostile confederacy against England. For, had the claim set forth by the English kings succeeded to be established, the Scots nobles must, from the station of peers and hereditary counsellors to an independent Sovereign, have sunk into the condition of Vassals to a Vassal. With the English Nobles they must have been satisfied to rank as Commoners. And in regard to the English Nation at large, they must have stood in the predicament of a subordinate inferior People.

A state of perpetual war accordingly became the consequence of the situation in which the two kingdoms stood in regard to each other. The treaties between them never were treaties of absolute peace, but only truces for a time, during which each Nation was watching for proper opportunities, and preparing either for fresh attacks or for defence.

The kings of England were supported in their enterprizes against Scotland, by the superior wealth and populousness of their kingdom. The Scots were assisted in their resistance by the natural obstacles with which their country abounded, by the lakes and hills with which it is interspersed, by the deep inlets of the sea with which it is intersected, and also by the really great extent of the country; all which circumstances together made it next to impossible for a conqueror to penetrate every part of it. The severity of the weather in that northern latitude,
during

during a considerable part of the year, was another kind of natural defence. And to all these advantages in favour of Scottish independence, we must very likely add other peculiar causes, arising from the internal polity of the Scots, and their manner of living among themselves.

All these circumstances, combined together, must have possessed great efficiency: for, notwithstanding the advantage in almost every pitched general battle, remained decisively, to all appearance, on the side of the English; yet, it happened in the issue that the Scots had only been dispersed; their main strength remained unbroken; and on the first favourable opportunities they were able to rally again in great numbers from behind their lakes and mountains, and to drive once more their invaders out of the country.

The project of the conquest of Scotland, which had been begun with so deep a policy, as well as pursued with so much vehemence and spirit by king Edward I. was, as hath been above mentioned, resumed both by his son and grandson, Edward the Second and Edward the Third. All the English kings who succeeded these, continued to set up the claim of feudal superiority over the kingdom of Scotland; and most of them endeavoured to make the same good by military enterprizes. The wars between the two nations continued till the reign of Edward the Sixth, whose uncle the duke of Somerset, protector of the kingdom, gained the battle of Pinkies against the Scots: that was the last battle fought between the two nations before the Union of the crowns.

A lively description of the lasting contests that took place between the English and the Scots, is contained in the following passage of an historian.

“ And now (the reign of Edward I.) began the contest between the
“ two nations, which spilt more Christian blood, did more mischief,

“ and

“ and continued longer than any wars that we read of between any
“ two people in the world. For all the kings which preceded for
“ three hundred years together, even to the blessed union of them by
“ king James I. had their share more or less in the quarrel. And
“ though England, being much the greater and stronger nation, had
“ the good fortune often to overcome, yet it was with so great ex-
“ pence of blood, time, and treasure, that what she got cost more
“ than it was worth ; the Scots being never so fully subdued, but that
“ they were soon for recovering their liberties again, and that with
“ success. So that Providence may seem to have decreed no union
“ should be firm between these two nations that was made by force ;
“ but only such as should be produced by peace and the milder way of
“ succession.”

It may be added, as a conclusion, that the Scots were able to the last to assert the independence of their kingdom. They had not even lost any part of their territory when their wars with the English became to be terminated. It was rather the reverse : for, their kingdom was advanced on this side of the boundary of the antient kingdom of Scotland, which is formed by the northern *Picts'* wall, which runs from the vicinity of Edinburgh towards Glasgow ; and they were possessed, at the epoch we mention, of three fourth parts of the territory that lies between that wall, and the southern wall built in the vicinity of Newcastle by Hadrian ; which territory had more than once been wholly in the possession of the English. The limit between England and Scotland, at the time of the accession of James the First, ran, as it now does, in an oblique direction across the space contained between these two walls, almost reaching, near Carlisle, to that on the south.

At

At length James the first acceded to the crown of England. He was great great grandson to king Henry VII. by his daughter Margaret, who had married James IV. of Scotland. His grand-father James V. was consequently nephew to king Henry VIII. and first cousin to the late queen Elizabeth: there was no nearer heir to the English crown.

By the accession of that prince to the English crown, an end was put to the bloody struggles, and the contests in the field, between the English and the Scots. But, at the same time, a struggle of another kind arose. A controversy now took place between the two Nations for the advantages accruing from the presence of the common Sovereign, and the possession of the seat of the government.

From the king of England now being a Scotsman, from the Scots having given a king to England, after having been able through a long course of years to assert their independence, the advantage, as to the article of honour, was undoubtedly on the side of the Scots. But then the real advantage, in that kind of contention, soon turned out to be in favour of the English, in consequence of the common Sovereign choosing to take up his residence among them: a choice to which he was led by the superior importance of the English kingdom; not to mention the more regular government, and greater degree of obedience to royal authority, that prevailed in it.

Loud complaints soon arose in Scotland about the stagnation of their trade, caused by the removal of the seat of their government, about the draining of their money out of the country, about their being sub-
jected

jected to English influence, &c. &c. The English, on the other hand, wanted to keep to themselves all the advantages they had acquired; they were besides somewhat anxious to shew, that, for being ruled by a Scottish king, they did not consider themselves as being become subjects to Scotland. The English parliament refused to give a declaration for naturalizing the Scots in England, thereby denying them, as far as they could, the benefits of an equal trade; and, above all, a great outcry was raised in order to hinder them from obtaining places of profit and trust, and, in short, preferment of any kind. — *They shall eat our Commons bare and make us lean*, soon became to be the pretended universal apprehension. Reflections on the poverty of the Scots resounded from all quarters. And the Scots, in their turn, were not behind hand, we may suppose, in also devising national reproaches, and contumelious retaliations, on the English, among themselves.

We are informed of several of the national reflections thrown upon the Scots in England, in the very Speeches of King James the First to the English Parliament, in which he endeavours, with remarkable good-nature, to answer the reproaches that were cast upon the Scottish Nation. He also earnestly recommended, in these Speeches, an Union of the two Nations: moreover, endeavouring to justify himself on account of the favour he had at first shewn in his Court to several of the Scottish Nobility; which favour, by the by, does not seem to have been either very partial, or very extensive. The following is an extract from one of his Speeches, in the year 1607. “ I owe no more to the Scottishmen than to the English; I was born there, and sworn here; and now I reign over both. Such particular persons of the Scottish Nation as might claim any extraordinary merit at my hands, I have already reasonably rewarded; and I can assure you that there is none left for whom I mean extraordinary to strain myself, further than in such ordinary benefit as I may equally bestow, without mine own

“ hurt, upon any subject of either Nation; in which case no King’s
 “ hand should ever be fully closed. To both I owe justice and pro-
 “ tection; which, with God’s grace, I shall ever equally balance. For
 “ my liberality, I have told you of it heretofore. My three first years
 “ were to them as a Christmas: I could not then be miserable. Should
 “ I have been oversparing to them, they might have thought Joseph
 “ had forgotten his brethren, or that the King had been drunk with his
 “ new Kingdom. But suits go not so cheap now as they were wont.
 “ Neither are there so many fees taken in the Hanaper and Petty-bag
 “ for the Great Seal, as hath been done. If I did respect the English
 “ when I came first, of whom I was received with joy, and came as in
 “ a hunting journey; what might the Scottish have said, if I had not
 “ in some measure dealt bountifully with them, who so long had
 “ served me, and so far adventured themselves with me? I have given
 “ you now four years proof since my coming; and what I might have
 “ done more for raising the Scottish nation, you all know. The longer
 “ I live, the less cause I have to be acquainted with them; and so the
 “ less cause of extraordinary favour towards them.”—From the above
 extract the reader will perhaps conclude that sufficient justice has not
 been done to James the First, either as a Speaker, or a Writer.

However, notwithstanding the speeches and exhortations of James,
 the English Parliament continued fullen and obstinate; and that Prince at
 length found he had no other means to assist his Scottish subjects, except
 his prerogative, and his personal power to grant preferment, and privileges
 respecting trade; which power, in those days, was under no limitation
 in regard to individuals. To which it may be added, that he caused the
 Judges to give a declaration, importing, that the *post-nati* of Scotland,
 that is to say, those persons who were born in that Kingdom after the
 accession of the King to the English Crown, were of course naturalized.
 The English Parliament had shewn a reluctance to declare even that.

It

It may, at the same time, be mentioned, as being some justification of the conduct of the English Parliament, that the Scots, in their answers or declarations concerning the proposed Union of the two Nations, manifested too great a determination to adhere to their own national distinctions and institutions.

In the midst of this mutual national rivalry and opposition, King James enjoyed a secure power: each Kingdom reciprocally supplying the means of keeping the other in awe and subjection.

The English would not, perhaps, have lived so quiet as they did, under a King that had been sent them from a Nation whom they professed to despise, if that King had not at the same time derived a capital personal weight among them, from the prospect of the assistance of that same Nation, who was settled on their borders, in the same Island with themselves.

And the turbulent anarchical spirit that had ever distinguished the Scots, must needs have been greatly repressed by a sense of the vast increase of the personal power of their King; who, it must be at the same time confessed, could not be reproached with having been wanting in his endeavours to serve their Nation at large. An idea of the easy manner in which the King of Scotland was now able to govern his native Kingdom, may be formed from the following passage, which is extracted from the same Speech above quoted.

“ This I must say of Scotland, and I may truly vaunt it: here I sit, and govern it with my pen: I write, and it is done. And, by a Clerk of the Council, I govern Scotland now, as others could not do by the sword.”

The reign of Charles I. exhibited a scene quite different. The spirit of reciprocal national opposition gave way, in each Kingdom, to concerns of another Nature. An union was now formed between the

English and Scottish Nations: it was at the expence of the Royal Authority.

Historians have observed that the great internal change of circumstances that had taken place in England, about the times of Charles the First, had rendered the situation of the King very difficult; but they have not taken sufficient notice how much this difficulty was farther increased by the accession of another Kingdom. To have two Kingdoms to manage at once: the one (Scotland) full of the spirit of turbulence and restlessness,—and the other perfectly well disposed to imitate the example,—was a task infinitely beyond the skill of Charles successfully to compass.

An union, as hath been above observed, was formed between the two Nations, against that King. And he may be said to have been himself at some pains to bring it about.

The Scots well informed of the discontents that prevailed in England, where no Parliament had been called for above ten years, and being even secretly invited from that kingdom, rose in arms first: this was in the year 1639.

They rose again in the year 1640.

The English Parliament, the same which was afterwards denominated the *Long Parliament*, was at that time called. The design of the King in summoning that Parliament, was to obtain assistance against the Scots. But the Parliament, when it met, sided with them. They voted pay to the Scottish army. And it was while that army lay encamped in the Northern Counties of England, and in a manner under the protection of the cannon of the Scots, that the English Parliament obtained to be declared perpetual,—that the Earl of Strafford and Archbishop Laud were impeached,—and those provisions in general were made (some excellent, some otherwise) to which Historians have given the appellation of the *famous motions of the year 1641*. It was also during

ing the same period of the presence of the Scottish army, that the English Parliament began those preparations which were soon to enable them to rise up in arms in their turn.

In the year 1642, the civil war began in England. The Scottish army, who had been paid off the year before, but had never been completely disbanded, again assembled and accepted English pay. They marched into England. And as that army had, in the preceding years, served to countenance the political measures of the English Parliament, so it now countenanced their military enterprizes, and struggles in the field.

The King, being driven by ill success to extremity, took his refuge into the army of the Scots, who lay encamped at Newark. But they proved true to their English Confederates, and delivered up the King's person to them.

The events that followed are well known. The King lost his life at Whitehall. The Scots, in the issue, quarreled with their English Allies, or rather with the prevailing party in England. They attempted, after the death of Charles the First, to give assistance to his Son Charles the Second, whom they proclaimed King of Scotland. They maintained a doubtful and bloody conflict for a few years. And they were at length brought under subjection to the English Commonwealth.

In the year 1660 Charles the Second was restored. The spirit of national opposition between the two Kingdoms, became to be again in some degree revived in his reign. And it contributed to secure that King's authority, in the same manner as it had formerly strengthened the power of James the First. The family prepossessions of Charles the Second had like, however, to have led him into wrong steps and dangerous mistakes in his government of Scotland: the Earl of Lauderdale pointed out to him what his policy ought to be, in the management of his two distinct Kingdoms.

James

James the Second had so little wisdom as again to unite the two Nations into serious complaints against him. His very remarkable want of policy proved fortunate to both Countries; and he was expelled without any blood being shed.

The English Parliament raised William the Third to the Throne of England. And so sincere were the Scots in their conjunction with the English at that time, so completely did they forget their national rivalry and hatred of English influence and Councils, that they accepted, without hesitation, that King whom the English Nation pointed out to them.

The Presbyterian Sect and party, in Scotland, in fact decided every thing in favour of William. The continued prevalence of that party, and their remarkable zealous spirit, during the whole reign of that Prince, proved very useful for securing his power, first in Scotland, and consequentially in England. The favourable situation of affairs in Scotland enabled him in great measure, no doubt, to surmount the great difficulties he experienced from the restless spirit by which his English Kingdom was influenced, combined with the dangerous claim that continued to exist upon his Crown, and the small degree of love that was in general borne to his person.

In the reign of Queen Anne, the spirit of national antipathy and rivalry again got uppermost in both kingdoms. One advantageous circumstance at least had followed from the misconduct of the Kings of the House of Stuart; which was, that the spirit of antipathy between the two Nations had been in great measure set aside, or at least had never been carried to any degree of activity, except perhaps during the first years of the reign of James the First in England. But soon after the accession of Queen Anne, the notions of national rivalry broke out afresh, with a degree of vehemence superior to any thing that had taken place in any former period.

The

The spirit of national opposition had even began to be manifested during the last years of the reign of William the Third. It had been very remarkably exerted in Scotland in the establishment they made of that Company that was to form a Settlement at Darien, on the Spanish Main. The avowed design of that Company was to enable Scotland to rival the trade and wealth of England in a few years. The project completely miscarried, after endangering a war with Spain and other European powers, besides being productive of much heat and controversy between the two Nations.

Several circumstances concurred in Queen Anne's reign to invite the exertions of the national opposition. In the first place, it must be confessed that the complaints of the Scots, considered as a distinct Nation and Kingdom, were not without some foundation: the removal of their Government from its seat among them, was certainly attended with prejudice to individuals. In the second place, that party in Scotland who began about those times to build their claims to popularity, on their opposition to England and English councils, were encouraged both by the considerable resistance which the Government in England was then beginning to meet from the Jacobite party, and by the great need in which it stood of the co-operation and assistance of the Scottish Parliament.

In order to understand what is here said of the situation of the English Government in regard to the Scottish Parliament, it is to be observed, that the Act by which the Crown had been settled upon Queen Anne, reached no farther than that Princess and her issue. After the death of the Duke of Gloucester, her only remaining child, it became necessary to make another Settlement. An Act to that effect was accordingly passed about the end of the reign of King William the Third, by which the Crown was settled on the House of Hanover. But no such Act was passed in Scotland. A provision for settling the
Scottish.

Scottish Crown was yet to be made in the beginning of the reign of Queen Anne; nor was any Settlement made in fact untill the Act of Union.

This situation of affairs gave great advantages to that party in Scotland who were at the head of the opposition against England. The Scottish Parliament were, in reality, possessed of a power legally to introduce again the expelled family of Stuarts into Great Britain, and procure a formidable establishment to it. The Son of James the Second, backed with the strength of a Kingdom that had, for a long series of years, proved a match for England, supported by foreign auxiliaries, and abetted by one half, perhaps, of the English Nation themselves, might have been able, after a great effusion of blood, to enrich his followers with English forfeitures.

The danger was great. It was most seriously dreaded in England at the time. And the sense the Scots entertained of the situation of public affairs and of their advantages, caused the spirit of opposition to England, and of national rivalry, to be carried, in Scotland, to a degree of vehemence, as hath been above mentioned, much beyond any thing that had taken place in any former reign. The following extract from Bishop Burnet's *History of his own Time*, will give the reader an insight into the general disposition of the People in that Country, at the period we mention.

“ A national humour of rendering themselves a free and independent
 “ Kingdom did so inflame them, that, as there were a majority of
 “ seventy in Parliament on their side, they seemed capable of the most
 “ extravagant things that could be suggested to them *. All was
 “ carried with great heat and much vehemence; for, a national hu-
 “ mour of being independent on England, fermented so strongly among
 “ all sorts of people without doors, that those who went not into every

* Burnet's History of his own Time, Vol. V. p. 164.

* hot motion that was made, were looked on as the betrayers of their Country; and they were so exposed to popular fury, that some of those who studied to stop this tide, were brought in danger of their lives. The Presbyterians were so overawed with this, that though they wished well to the settling the succession, they durst not openly declare it. The Dukes of Hamilton and Athol led all those violent motions; and the Nation was strangely inflamed *."

This disposition of men's minds in Scotland also became to be farther encouraged by the doubtful state of the war in which England was at that time engaged against France, which, in the beginning of it, was looked upon as doubtful, and very dangerous, on account of the consequences which misfortunes might have produced at home, and of the assistance which France, if successful, might have been able to give to the Stuart party.

The Leaders of the Scottish opposition came at once to measures of great violence. A Parliament was summoned in Scotland in the year 1703. A letter from the Queen was read, desiring them to provide for the settling of the Crown in their Country, in case the Queen should leave no issue; and the Settlement that had passed in England was proposed.

Instead of adopting this, the Scottish Parliament resolved that provisions should first be made for settling the rights and liberties of the Scottish Nation, independent on English interests and councils; and moreover declared, that, until these provisions were agreed upon, the Successor to the Scottish Crown should *not* be the same Person that was possessed of the Crown of England: they also added other articles to their regulations, by which the whole authority of the Crown in Scotland was to be transferred to the Parliament, or to a Council named by it, which was to govern during recess.

* Vol. V. p. 227.

The Act was rejected by the Queen.

It was resumed the following year (1704) with much the same clauses, especially in regard to the settling of the Crown. The Ministry in England, overawed by the situation of affairs both in Scotland and abroad, and in England too, advised her Majesty, at that time, to give her consent to the Act. None of those great successes, that ended afterwards in crushing the power of France, had been yet obtained at the time of passing the Act of the Scottish Parliament we mention*.

This Act was called in Scotland the *Act of Security*. It was in reality a Bill of exclusion against the Possessor of the Crown of England. Provisions of an actually hostile nature had been also added to this Act; for, by one of the articles, an order was made for arming and training the Subjects, and putting them in a posture of defence.

The English Parliament having met not long afterwards, the Lords addressed the Queen, "That she would give orders for fortifying *Newcastle, Berwick, Carlisle, and Hull*, and that the Militia of the four Northern Counties might be provided with arms; and that a competent number of regular troops might be kept upon the northern borders of England, and in the north of Ireland†; and that the laws might be put in execution against the Papists."

A Bill was passed a few weeks afterwards in both Houses, which was intitled, *An Act for securing the Kingdom of England from the dangers that might arise from several Acts lately passed in the Parliament of Scotland*.

By it it was enacted, that the Natives of the Kingdom of Scotland should be reputed as Aliens, unless the Succession to the Crown of Scotland be settled on the Princess Sophia of Hanover, and her Heirs, being Protestants. Provisions were also made for intercepting the trade from Scotland to those Countries that were at war with England: (it may be observed that the Scots had expressly passed an Act for

* See Burnet, anno 1704.

† Being exposed to invasion from Scotland.

Trade with France); and Christmas of the following year was the day fixed for the Act to take place, unless, as is above said, the Scots chose before that time to settle the Crown on the House of Hanover. The same Act also empowered the Queen to name Commissioners for a Treaty of Union.

By the two opposite Acts of the English and Scottish Parliaments that have been above described, war was in fact declared between the two Countries: only actual hostilities were postponed to the ensuing year; the militia was, in the mean time, training on both sides; and ships of war were moreover fitting out in England, for cruizing against the Scots trade.

Wise and moderate Men in both Countries began to wish more seriously than had been done at any former period, for a more perfect union of the two Nations than that which the union of the two Crowns had been able to effect.

It is at the same time to be observed, that a very great change had now taken place in the situation, both of English affairs, and of the English Government. The very remarkable and decisive successes which the English armies, and those of their Allies, had met with on the Continent, completely discouraged the disaffected party at home, and operated as a bar to that faction in Scotland who were for running to extremities against England. The armed power of England, both by sea and land, had been carried to such a prodigious degree, in consequence of the important war she was engaged in, that Scotland, as a distinct rival Kingdom, had no prospect of successfully opposing it by military exertions. France, from whom Scotland might have expected assistance, was now totally fallen from that situation in which she stood a few years before, and unable to spare any competent force from the defence of her own frontiers. All the other powers of Europe, within reach of assisting Scotland, were in close alliance with England. That party in Scotland who headed the opposition against England, and had

exerted themselves for some years in obstructing every English measure, and defeating the project of an Union, was therefore under a serious necessity to give way. The proposals made by Queen Anne, for appointing Commissioners from both Countries to treat of an Union of the two Kingdoms, were now listened to; and an Act for that purpose was passed, after some struggle, in the Parliament of Scotland, in the same manner as it had been before in the English Parliament.

The first and essential object for which the Treaty we mention was entered upon, was the Union of the two Kingdoms, by incorporating the two Parliaments into one. James the First is mentioned by Historians, in loose general terms, as having endeavoured to effect an Union of the two Nations. Yet, it does not seem that he meant any thing more than a reciprocal naturalization of the Subjects of both Countries: no mention was made by him of an incorporation of the two Parliaments together: it might even be proved, perhaps, that he did not wish for it. The only actual proposal for such an incorporation, previous to the year 1706, was made in the year 1670, in the reign of Charles the Second. Commissioners from England and from Scotland met at Whitehall, to treat on that subject; but as there was no great earnestness on either side, nor in the King himself, to see the project succeed, it was soon given up. The Scots made too high demands: and the English Commissioners did not propose any medium or abatement.

King William had some thoughts of an Union between the two Kingdoms. He probably meant an incorporation of the two Parliaments. But he was not very anxious to bring this Union to a conclusion; he having only mentioned it in one of his speeches, as a thing proper to be done at some future time.

In the very beginning of the reign of Queen Anne the project was again taken up. In her first speech after her succession (in the beginning of the year 1702) she recommended an Union of the two Kingdoms; and an Act for empowering her to name Commissioners for England

land was passed. The prevalence of that violent party spirit that has been above described, continued to obstruct, especially in Scotland, the accomplishment of the design for some years. At length, in the year 1706, effectual steps were entered upon for framing a Treaty; and Commissioners met at Whitehall for that purpose. They were thirty-two from each Country; all named by the Queen: the Scottish Parliament having given up the claim they had till then insisted upon, to name their own Commissioners.

These Commissioners agreed about articles. These Articles were ratified by the two Parliaments of England and of Scotland; and formed the Treaty by which the two Kingdoms became *United*.

The Articles, in favour of the English in that Treaty, were,

I. That by which it was enacted that the English Parliament should be sole Parliament for Great Britain, and that the Representatives of Scotland should come and incorporate with it.

II. The Crown of Scotland was settled on the House of Hanover, being at the same time for ever annexed to the Crown of England.

III. Scotland was made subject to the paying, in future, the same taxes as were to be laid in England (some limitations excepted).

The Articles, in favour of Scotland, were,

I. A complete and perpetual naturalization of Scottish subjects in England.

II. The whole tax upon land, in Scotland, collectively taken, was settled for ever to be only the fortieth part of the amount of the same tax in England (the exact rate is as 48 to 2000).

III. The Scots were allowed to send forty-five Representatives to the Parliament of Great Britain, and sixteen to the House of Peers: in all sixty-one. It may be observed that Edward the First, during the short time he was master of Scotland, and during the forced Union he then made of the two Kingdoms, had allowed the Scots only ten Representatives: that number was accordingly sent: the Reader may see their

names in the *Parliamentary History* of England. And the English Commonwealth had allowed the Scots only thirty Representatives, when a second forced Union of Scotland took place, after the conquest that was made of it by Cromwell and his Generals.

IV. The Peers of Scotland were allowed to enjoy in England all the privileges of the English Peerage, and precedence over all Peers of Great Britain created after the Union: the right of voting in Parliament, and of sitting upon the Tryals of Peers, excepted; these latter rights being confined to the sixteen Deputies sent by the Scottish Nobility.

Since the Treaty of Union, some farther regulations concerning Scotland have been made by the Parliament, which it may not be amiss to mention here.

In the first Place, the Privy Council of Scotland was abolished soon after the Union: it had been left in the power of the Parliament of Great Britain to continue, or set it aside.

About four years after the Union, it was resolved in the House of Lords, that Scottish Peers, created Peers of Great Britain since the Treaty, were not to be admitted to sit, or vote, in that House: the Duke of Hamilton, who was created Duke of Brandon in the year 1711, was accordingly not allowed to take his seat. The resolve was grounded on the strict letter of the Act of Union: only sixteen Scottish Peers were to vote. This construction had some spirit of jealousy in it: it put the Scottish Peers in a more disadvantageous situation in regard to receiving honour from the Crown than Scottish Commoners, who were undisputably allowed to be capable of being called to the House of Peers by the Crown. This resolve was altered a few years ago.

The eldest Sons of Scottish Peers were also to be excluded from a seat in the House of Commons. A vote to that effect was passed in the year 1710: it was grounded on the exclusion that was also formerly
given

given to them in the Parliament of Scotland. This vote has been set aside not many years since.

In the year 1709 an Act was passed for making treasons and the trial of them the same in Scotland as in England. The law of Scotland was more arbitrary. By the Act abovementioned a Grand Jury is to find the Bill, and the Petty Jury are to be unanimous in their verdict. The law is not so in Scotland in cases different from treason: they have, for instance, no Grand Jury in cases of ordinary criminal prosecutions.

Lastly, the *Heretable Offices, Superiorities, Heretable Jurisdictions*, and *Jurisdictions for Life*, which conferred a power of life and death on a very great number of petty Lords and Chieftains, in Scotland, in their respective districts, were set aside by an Act of Parliament passed in the year 1746. The continuation of these tyrannical personal privileges and Jurisdictions, had been expressly stipulated in the Act of Union: it being the 20th Article of it. However, the Parliament thought that the justice and national importance of the provision were to justify the infraction made by it to the Treaty of Union. The opposition raised by the Proprietors of these Jurisdictions was overruled: and they were compelled to receive a compensation in money: it was said that only their property was meant to be secured in the Act of Union. Most of the People of Scotland might be said, in fact, to have acquired no individual freedom, nor even advantage, by the Treaty of Union, until the passing of the Act we mention. The feudal Tenures of land by *wardholding* and *Knight-service*, together with their *incidents* and *casualties*, which were another source of oppression upon a numerous class of individuals, were also abolished at that time.

The general advantages which accrued to each Kingdom, respectively, from the Act of Union, may be summed up as follows:

England, by the Treaty of Union, acquired the advantage, That an extensive inlet and settlement for foreign enemies was shut. Land hostilities.

tilities and warfare were at the same time put an end to, through the whole island. And England found herself fenced by the Sea on every side.

At the period itself in which the Union took place, England derived from it the capital present advantage of excluding from every part of Great Britain, a family that had a most dangerous claim upon her Crown: a claim which continued to be respected by a very numerous part of her own People. The Act of Union was to prevent the renewal of those scenes which had attended the struggles between the Houses of York and Lancaster.

Scotland, being likewise considered as a separate Kingdom, acquired by the Act of Union, all the advantages of English trade and navigation. She cannot, perhaps, be said to have been gainer in regard to the rate according to which she bears the burden of public taxes; though the case is generally represented so. Scotland now pays the same extensive excises, customs, and stamp duties, that are paid in England. She is eased in regard to the land-tax; but that is no extremely considerable object, in comparison to the whole of those abovementioned. It may at the same time be said, most likely with truth, that the increase of both their internal trade and their navigation, does more than enable Scottish subjects to bear their increased burden.

Scotland has acquired the same advantages as England, as to perpetual peace within the whole Island in which she is situated. The abolishment of the spirit of rivalry against the neighbouring Kingdom, may also perhaps be reckoned as an advantage in favour of Scotland. At the time when the Union was effected, England had so mightily increased her national power and strength, in consequence of the changes that had of late years taken place in the politics of Europe, that Scotland, as a separate Kingdom, was left behind, out of all proportion in that respect. A spirit of national struggle and opposition,

and

and notions of rivalship, could not, in future, be productive of happiness to any individual in Scotland.

And lastly, the Scots, through the Act of Union, have gained the advantages of greater individual freedom, and of a better Government among themselves.

As a conclusion it may be added, that the Union of the two Nations was followed by a circumstance very favourable to the full settlement of that new model of Government which was introduced by it. A few years after the Treaty took place, Great Britain became at peace with France and the whole world, and continued so till about the year 1740, that is for thirty years; two contests of short duration with Spain excepted. From the year 1740, to the year 1775, or thereabouts, when the American struggles began, Great Britain was engaged in no foreign war, but what served to strengthen her internal Government, instead of weakening it. This was a space of full sixty years since the Union: a space of time long enough, though not perhaps too much so, for rooting out such violent prepossessions and affections for certain models of Government, as are chiefly grounded on party-spirit.

I R E L A N D.

IRELAND forms the third branch, or limb, of the British dominions in Europe; and though a separate Island, lies sufficiently near Great Britain, to be considered as an adjacent Country.

There seems, however, to have been little intercourse between Ireland and England, previous to the reign of Henry the Second. There is no account left of any English Settlement having been made in that Island before that period; though several Colonies of Norwegians and Danes, were found, who had formerly settled on different parts of the coast. They chiefly inhabited the environs of Waterford and Limerick, and were in subsequent times called *Ostmen* by the English.

In the reign of the Prince abovementioned, Henry the Second, an attempt on Ireland was made for the first time, from the English coast. Historians have given to the expedition from England that then took place, the name of Conquest of Ireland: they have ascribed the honour of it to King Henry the Second; and have moreover conferred upon him and his Successors from that period, a rightful claim to the dominion and obedience of Ireland and its Inhabitants.

The fact is, however, that only a Settlement was made on the Irish coast, of the same nature as those which have been formed since on the coasts of Africa, Asia, or America. The first Adventurers were two private Gentlemen, Fitz Stephens, and Fitzgerald. They crossed the Irish channel with about three hundred men; and they were soon after followed by Earl Strongbow, with twelve hundred more.

If the Irish had been united under one King, or common Leader, as the Scots were, when Edward I. attempted the Conquest of Scotland,

or

or if the English adventurers had, on their first landing, alarmed the whole Irish Nation, by loudly proclaiming a design of universal indiscriminate invasion and dominion, as the same Edward the First did, it is not to be doubted that they would soon have been overpowered by numbers, in the same manner as the English garrisons left by Edward the First in Scotland, were overpowered and driven out of the Country.

But Ireland, at the time we are speaking of, was divided into a very great number of independent districts, that had little more connection with each other than what arose from mutual neighbourhood. And those Irish who lived on the Northern or Western side of the Island, did not care much who inhabited, or made settlements, on the southern or eastern coast.

The English adventurers, besides, found friends in the Country to whom they were welcome, as hath been the case in all the Settlements made by Europeans in remote parts of the World: they even had been expressly invited by an Irish Chieftain who was possessed of the opposite shore (his name was Mac-Dermot): they were to assist him in a war in which he was then engaged; and Earl Strongbow was to marry his daughter.

The military operations of the little English army, and of the Irish Ally who had invited them over, proved successful; and the Adventurers were rewarded for their assistance by having lands allotted to them in the Country. They formed a Settlement, or Colony, in the neighbourhood of Dublin.

The report of the advantages which Fitz Stephens, Fitzgerald, and Earl Strongbow, had met with, reached England. A few more adventurers followed, in order to partake of the success; and among them at length, was no less a person than King Henry the Second himself, who chose to come over, to give countenance to the Colony formed by his Subjects. This Prince proved still more welcome to the Irish than

the Adventurers who had preceded him. As he had brought only five hundred men with him, he caused no alarm. The Irish Chieftains were flattered to see so important a Man as the King of the great Island that lay on the opposite side of the channel, to have come among them to pay them a visit. They resorted to him from several parts of the Country, and were proud to make alliance and treaties of amity with him: some even agreed to pay him an annual tribute, for the honour of his future countenance and correspondence. It may be observed, that Henry the Second gave the Irish Chieftains the title of *Kings*; and this stile continued to be used by his Successors so late as eighty years afterwards, if not later: the following expressions are to be found in a letter sent by Henry III. to one of these Irish Chieftains. "The King
"to King Thomond, greeting." (*Rex, Regi Thomond, salutem.*)

Henry the Second, after staying about five months in Ireland, withdrew, well satisfied with his expedition, and leaving his Subjects in possession of some districts on the eastern coast. Such was the first settlement made by the English in Ireland, and the first origin of the present dominion of the English Crown over that Country.

From the time we mention, till the 36th year of the reign of Edward the Third, that is, during a space of an hundred and fifty years, no attempt was made from England to extend the possessions that had been acquired in Ireland. At the period we mention, the English Settlement, that is, that part of it which was governed by the English Law, and recognized the King's authority, was not extended beyond what it was in the beginning. It was rather the reverse; and the *English Pale*, as it was called, only reached, at the time of King Edward III. to a few miles around Dublin; though an hundred and fifty years, as is above said, had elapsed since the first settlement.

This straitening of the English Pale had been owing to two causes. In the first place, the hostilities committed by the Settlers against the dis-

tricts by which they were surrounded, had raised an alarm and a confederacy against them, which the first Adventurers did not meet with.

In the second place, the successors to those persons of English blood, or race, who had obtained lands at some distance up the Country, had gradually renounced their dependance on the primary Settlement, as they ceased to want its support: which has been the case with all Colonies, whenever they have ceased to derive advantage from a connection with the Mother Country: and they had even in process of time adopted the dress, the language, and the laws, of the native Irish.

These English families, now transformed into Irish inhabitants, were moreover particularly jealous to oppose the extension of the *Pale*, and the farther spreading of the English law. They held their lands by Irish tenures, and by the *Brehon* or Irish law; which, in regard to matters of descent, totally differed from the law of England. Now, if the English law had been suffered to prevail, they must have been dispossessed, and compelled to give up their lands to other persons. In order to secure themselves still farther, and more completely disclaim any connection with the English law, they had even assumed Irish surnames, such as *Mac-Yoris*, *Mac-Morice*, *Mac-Gibbon*, &c.

At the period we have abovementioned, the 36th year of the reign of King Edward III. an expedition into Ireland was projected in England. The Leader was Lionel, Duke of Clarence, second Son to the King. The motive that induced this Prince to undertake the expedition, was this. He had married the heiress to William Bourke, surnamed the *Red Earle*, the greatest landholder among those persons of English blood who had settled up the Country, and rendered themselves independent on the English Pale and Government. After the death of the Red Earle, the next male heirs had claimed his estates, conformably to the Irish law, and had parcelled them among themselves; which was also conformable to the same law. Duke Lionel claimed these
same

same lands in right of his Wife, grounding his claim on the English Common law; and his coming over to Ireland, was in order to expel that Tribe, or *Sept*, or Family, or Clan, who had put themselves in possession of them.

The expedition was, in fact, undertaken against the Irish law, and all those persons of English blood who had adopted it. Duke Lionel even used so little policy as openly to avow his hostile intentions in general, and forbade all persons of English race to approach his camp. He accordingly met with an universal opposition out of the limit of the English Pale; and as he had only brought an inconsiderable force with him, he was compelled to withdraw. Before he finally left the Country, however, he held a Parliament at Kilkenny, while he was encamped there; and got that famous Statute to be passed which is known by the name of the *Statute of Kilkenny*.

This Statute is very remarkable: the above account of Duke Lionel's expedition has been purposely given, in order to have an opportunity to lay the principal articles of that Statute before the reader: it shews that tyrannical laws are an old evil in Ireland.

It was recited in the preamble, that the English of the Realm of Ireland, before the arrival of Duke Lionel, were become mere Irish in their language, names, apparel, and manner of living; had rejected the English law, and submitted to those of the Irish, with whom they had united by marriage-alliance, to the ruin of the general weal. It was therefore enacted that marriage, and gossipred, with the Irish, should be punished as high treason. If any Man of English race shall use an Irish name, the Irish language and apparel, or ride without saddle, &c. his tenements shall be seized. If any one claims the Irish or *Brebon* law, he shall be adjudged a Traitor. It was made penal for persons of English race, to allow the Irish to *creaght* or graze upon their lands; or to entertain any of their Minstrels, Rhymers, or News-tellers, &c. &c.

This

This Statute of Kilkenny has been greatly praised by Sir John Davis, and other Writers, on account of its tendency to *reform* the *degenerate* English: this was the usual appellation given to those English who, after settling up the Country, had adopted the Irish laws and customs. The fact is, that it was no more than a peevish and revengeful expression of the resentment Duke Lionel felt from the opposition he had met with, and the loss of those lands he had come over to claim. The Statute was not to have any obedience paid to it, out of the small compass of the English Pale. It was, in reality, a declaration of perpetual war against those persons and Chieftains of English race, who were settled up and down the country, and had been, more or less, necessitated to adopt the Irish customs and laws.—Thus ended the second expedition into Ireland.

The third expedition was undertaken not long afterwards, by King Richard the Second. This Prince landed in Ireland with a very considerable army: but he does not seem to have entertained any serious design; any design, in short, except that of a splendid excursion and amusement.

The Irish Chieftains acted in regard to Richard in the same manner as they had done with Henry the Second. Though they were unwilling to give up their lands and cattle to foreign adventurers, and to adopt laws which they neither understood, nor were used to, they were proud to see an English King among them. As Richard was willing to exhibit his greatness and magnificence to them, so, they were desirous to display their consequence and their urbanity. They flocked to the King's Court from all quarters. No less than seventy-five independent Irish Chiefs the King admitted to his person, and entertained with great splendour. The Earl of Ormond, who spoke the Irish language, and Henry Castil, who had married an Irish Lady, officiated as Interpreters. Four of the Chieftains, *O'Nial*, *O'Connor*, *O'Brien*, and *Mac-Murchad*, were seated at the King's table, clothed in robes of state.

state. Some were knighted. They, at first, objected to the offer; alledging that every Irish Lord, or King, was knighted, or made a warrior of, when seven years of age: but being told that they were now to be made so, conformably to the practice adopted among all the famous Nations of Europe, they submitted to the ceremony with much gratitude.

It is to be observed that all these favours were shewn only to native Irish Chieftains. During those feasts and entertainments which the King continued for some time to carry on at Dublin, the *degenerate* English, great and little, kept at distance: none durst come near Dublin or the Court. They were under the terrors of the Kilkenny Statute. However, the young King was not come over with a design to shew severity to any person. He observed, with good-nature, in regard to the *degenerate*, or *rebel*, English, that they had possibly received but too much provocation; which had driven them to seek for the alliance of the Irish. After staying some months, Richard thought of putting an end to his magnificent journey; and he departed, without having increased the English Pale and the sphere of the English laws, or having manifested any intention about it.

From the reign of Richard the Second no expedition was attempted from England into Ireland, till the reign of Queen Elizabeth; in the latter years of whose reign Ireland was universally subdued by force, as will be mentioned hereafter.

During this whole period, which contained about two hundred years, a constant state of warfare continued to take place between the English Colony or Pale, and the whole Country besides; with some intervals however of intermission, as to actual hostilities.

The Colony were at constant war with the native Irish, in consequence of their colonial laws and provisions, according to which the *Irish* were considered as perpetual Outlaws. The Courts of Justice erected within the Pale, allowed them no remedy in cases of trespasses committed

committed against them; nor did they adjudge punishment for slaying a native Irish *.

The Colony were in a state of perpetual war with the *degenerate* English, in consequence of the Statute of Kilkenny, which, as hath been above recited, had made such *degeneracy* High Treason and Death.

The impotency of this Statute, and in general the impolicy of the measures pursued by the Directors of the Colony affairs, both in regard to the native Irish, and the degenerate English, soon became conspicuous. An alliance and confederacy took place between these, of a closer nature than formerly. And the consequence at length was, that the Settlement became to be so straitened, that those who were possessed of land on the borders, were necessitated to buy peace from the surrounding Chieftains, having agreed to pay them an annual stipend, which became to be a settled tribute, known by the name of *Black-rent*.

Notwithstanding its weakness, the English Colony continued however to exist,—partly because it was well known, that, had an universal combination taken place to effect its final expulsion, it would have received sufficient assistance from England to make the attempt both difficult and dangerous,—and partly, because the Settlement was, in itself, equal in point of strength to any of the numerous Lords, or Chieftains, who domineered over the Island. The Colony, in fact, continued to defend itself by the same means which those Chieftains

* When a Man had been killed, and the accused party pleaded that the Man was an Irish-man, the case was brought to the issue whether the Man killed was of Irish, or English, race. Sir John Davies has quoted two curious Latin records. By the first it appears that one *Williams*, who had killed one *Roger*, obtained his *quietus*, on proving that this *Roger*, notwithstanding the English name he had assumed, belonged to the Irish *Sept*, or Tribe, surnamed O'Hederiscals. The other record gives the instance of one *Laurens*, who was sentenced to be hanged, for killing one *Galfred Dowedal*, who was proved, on the tryal, to be of English race. See *Davies*, p. 111, 112.

used among themselves: that is to say, by making alliance at some times with some of them, and at other times with others; whether they were Irish, or degenerate English: occasionally setting aside the provisions relative to the *Irishry*, and forgetting the Statute of Kilkenny, as circumstances made it necessary.

On the other hand, there were reasons why the English Colony did not extend their acquisitions, nor availed themselves of the advantages they might have perhaps possessed to that effect.

In the first place, they continued to receive no assistance from England, whose Government was either engaged in Continental and Scottish expeditions, or was distracted at home by rebellious insurrections, and civil wars.

In the second place, the English Colonists began in time to quarrel among themselves, in their own district. In the same manner as a division had in former years been effected between English Subjects, and the degenerate English, so a division now took place in the Colony, between English Subjects of race or blood, and English Subjects of birth, that is, those who were born in England, and had lately emigrated, or rather *immigrated*, into Ireland. Their dissensions went even so far, that two opposite Parliaments were once to be seen sitting in different places, anathematizing each other, and promulgating opposite contradictory laws, to be observed by English Subjects in Ireland. It may be observed that some of the English Subjects of blood were possessed of considerable independent districts out of the limit of the Pale, which enabled them to oppose by main force the Government of the Colony, and even sometimes to attempt to call distinct Conventions or Parliaments. The most considerable among them were the Earls of Ormond, and of Desmond.

The Inhabitants of Ireland had therefore, in process of time, become to be divided into four different Classes:—The *Irishry*, or native Irish; the degenerate English; the English Subjects of blood, some of them,

as hath been above observed, possessed of considerable independent power;—and the English of birth, who were chiefly supported by the Government.

In the midst of the complicate quarreling, and promiscuous multiplied warfare, that took place between these four Classes, or their Leaders, the English Colony, or Settlement, continued to exist for above two hundred years in the same narrow extent; that is, till the end of the reign of King Henry the Eighth.

At the time of this Prince, the Pale consisted of no more than four Shires. Though *Munster* had been, in former days, nominally divided into Counties, the People, as Sir John Davies observes, had become so *degenerate*, as that no Justice of Assize durst execute his Commission among them. The sneering answer of Mac-Guire, Chief of Fermanagh, to the Lord Deputy, who was proposing to him to accept a Sheriff in his district, has been recorded: “Your Sheriff shall be welcome to me; but let me know the price of his head (his *Eric*), in order that if my People cut it off, I may fine them accordingly.”

John Allen, Irish Master of the Rolls, was directed by the Government of the Colony, to inform the King, that his laws were not obeyed twenty miles in compass. It was become a common expression among the inhabitants of Ireland, to say, that *They dwelt by-west of the Law, which dwelt beyond the river of the Barrow* (thirty miles of Dublin).

Henry the Eighth did indeed assume the title of *King* of Ireland, instead of *Lord*, which was the former stile, and had caused certain districts without the Pale, to be divided into Counties, or Shire ground. But this division was no more than nominal. The *Black-rent*, that annual tribute which has been abovementioned, continued during that Prince's reign to be exacted from the inhabitants of the borders of the Pale, by the surrounding Chieftains. The native Irish Chiefs even then continued to consider themselves as being so independent, that they made express Treaties of peace with the King and his Lieutenant:

Treaties of alliance were more than once made with them, for making war on the turbulent English Lords. One of these Chieftains, named *Mac-Gillpatrick*, and Lord of Ossory, (in the neighbourhood of Wexford), conceiving himself on a certain occasion to have been aggrieved by the Earl of Ormond, then Lord Deputy, sent a declaration of war to Henry VIII. if he did not punish him: which declaration the Ambassador whom the Irish Chieftain had made choice of, delivered in good Latin to the King, as he was coming from Chapel.

As to the degree of obedience paid to the Government by the Lords and great Subjects of English blood, it may be guessed not to have been very great, from the nature of the covenant entered into by the Earl of Desmond with Henry VIII. in the thirty-second year of the reign of that Prince; which was, that he would suffer the law of England to be executed in his Country, and would permit the subsidies granted by Parliament, to be levied on his Tenants and Followers.

Such was the state of Ireland during the reign of King Henry VIII. and even during the reigns of King Edward the Sixth, of Queen Mary, and the first part of the reign of Queen Elizabeth. Yet all Writers, among them Sir John Davies, who was Attorney General in Ireland in the reign of James the First, agree in speaking of Ireland as having rightfully belonged to the English Crown ever since the reign of King Henry the Second. The Book published by Sir John Davies concerning Ireland, contains a continual contradiction from the beginning to the end. He calls the Kings of England from the reign of Henry the Second, "Absolute Monarchs of Ireland, having in right all Royal and Imperial Jurisdiction there;" he brands the native Irish with the names of *perfidious Rebels, wicked and ungrateful Traytors*, throughout his Book: and all for what? because the Kings of England had conquered their Country: and yet his Book is purposely written to point out the causes why they had *not* conquered it. At the same time it must be acknowledged that Sir John Davies was a Man of very great abilities: greatly superior

superior to the generality of those persons who are usually employed in the management of public affairs; and notwithstanding his contradictory principles and perplexed arguments, his Work contains a deal of scattered truth and information.

The only way to form a true idea of Ireland, and of the dominion of the English Crown and Nation there, previous to the reign of Queen Elizabeth, and indeed of James the First, is by considering the English Colony that had been settled on that Island, in the same light as the Settlements, or Colonies, formed by Europeans in remoter parts of the World. It was a Settlement of the same nature as those at Senegal, or Goree, on the coast of Africa; or like Bombay, on the Coast and Country of the Mahrattas; or Madras, thirty years ago, on the Coast of the Carnatic; or the Dutch Settlements in the Island of Java, and at the Cape of Good Hope. But the justest idea that may be acquired of the nature of the English Colony in Ireland, from the times of Henry the Second, to those of Queen Elizabeth, is by comparing it with the Colony at New York, as it would now stand, if the late Treaty had not taken place, and the Americans, in conjunction with the North-Indians, did continue to beset its territory, and oppose the extension of the English Government. The North-Indians, in such case, would represent the Irishry; and the Americans would be the degenerate English,—or some of them the English Subjects of blood, according as it might suit them to keep some intercourse with the Government of the Colony. With this difference, however, that the Irishry were the more numerous Nation, and continued to occupy about two third parts of the Island.

During four hundred years Ireland continued to exist in the state which is here described. Sir John Davies's Work is entitled, *A Discovery of the true causes why Ireland was never entirely subdued and brought under obedience of the Crown of England until the beginning of his Majesties (James I.) happy raigne.* Among other causes he mentions

the

the inconsiderable forces which were sent by the Kings of England for subduing the Country ; in which he is certainly right. But when he proceeds farther, and produces as additional causes why Ireland was not brought under obedience, that the Irish laws and customs were not abolished, and those of England established in their stead, he is undoubtedly wrong.

This method of forcing their laws and customs upon conquered Nations, was never adopted but by such Conquerors as aimed at destruction, and were seeking pretences for it. The Normans, to mention an instance which Sir John Davies himself has introduced, after their invasion, suffered the Common Law of England to subsist in those cases which did not affect their Government. The reluctance shewn by the English Lords against having the laws of their Country altered in regard to a point in which not one of them perhaps was personally concerned, is well known : *Nolumus leges Angliæ mutare*, was their unanimous declaration. It may be added, that the attachment of the Irish to their laws was grounded upon more serious reasons than mere prepossession. They do not seem to have annexed to the right of *Property*, particularly in regard to land, the same ideas as we do. The laws of England, especially concerning *Descent*, were perhaps the strangest laws, and the most repugnant to their manner of living, that could be proposed to them : they should not therefore have been attempted to be forced upon them, especially in a hurry. This is a point which Writers have not perhaps sufficiently elucidated.

Neither were the attempts to abolish the manners and customs of the Irish, a very wise course of measures. The most absolute Kings have found the introduction of alterations in the bare article of dress, to be attended with the utmost difficulty, even in the precinct of their Metropolis, and of fortified Towns : in the open Country, especially at distance, it has ever proved a most dangerous undertaking.

The Laws and Statutes passed against those English persons who adopted the Irish customs and language, and claimed the support of the Irish laws, were not more judicious. Being settled up the Country, and mixed with the Inhabitants, how could they avoid complying with the customs of those Men whose countenance and assistance it behoved them to obtain, and obeying those laws and Governments to which, imperfect as they might be, they must resort for immediate protection? even in the precinct of the Pale, the Irish language had a constant tendency to become prevalent; and ordinances were frequently made for restraining the use of it. Sir John Davies goes so far as to regret that the *Forest-laws* were not established in Ireland, because those laws, together with their penalties, might perhaps have helped to civilize the Irish. Sir John was both a Lawyer, and a Magistrate. He talks in a very easy manner, of *maistering the Irish by the sword*, and of *breaking them by warre*, in order to make them capable of obedience and good seede: but his opinions, upon the whole, appear too much like the language of a Man who is intent upon dictating those Laws with which he is acquainted, and extending the sphere of his business and profession.

It may be added, that the Irish Chieftains were extremely well disposed, of themselves, to be governed by the Kings of England. None of that fierce spirit of resistance and rivalry was found among them, which was experienced from the Scots, who were a more civilized Nation. Sir John Davies has taken notice of the remarkable readiness with which they resorted to those English Kings (Henry II. King John, and Richard II.) who came over to visit Ireland. They were proud in fact, both to enter into alliance with the King of England, and to pay him a tribute or annual present, as being a greater Man than themselves: a notion this, natural enough; and which, to this day, prevails throughout the East: they were besides particularly pleased with having some dependence on an English King, as they seem to have considered it as forming a kind of connection, or tie, between them and the Nations

Nations of Europe, and in short, with the rest of the World. The Kings of England would have acted with more justice, more glory, as well as more advantage to themselves, if they had been satisfied with the quality of Arbitrators between these Irish Rulers or Chiefs: an office to the discharging of which a small force would have been competent, considering the equal manner in which their strength and resources were balanced among themselves. Better customs, and laws more favourable to the improvement of their Country, should, together with proper invitations, have been held out to them; and time trusted to, for their accepting them. Instead of this, Adventurers were poured into Ireland, who, partly by their avidity, and partly by their ignorant laws, rendered pacification impossible.

Another fact may be mentioned in this place; which is, that Henry VIII. found no difficulty in inducing the independent Irish Chieftains to acknowledge his Supremacy, and the capacity he assumed, of Head of the Church; which is a remarkable fact, and shews that they were not influenced by any violent spirit of innate bigotry and bloody opposition, in regard to religious matters. Some also covenanted with the King to admit English Judges, or *Arbitrators*, in their districts, provided they should follow the Irish laws: which is another remarkable circumstance. Such Arbitrators, or *Orderers*, were accordingly appointed, and directed to let the English law aside, because, it is said in the preamble of the Ordinance, the Irish were not yet sufficiently acquainted with these laws to live in conformity to them. (*Quia nondum sic sapiunt Leges et Jura, ut secundum ea jam vivere possint.*) This was wise policy, though Sir John Davies but indifferently approves of it; and it had been, no doubt, adopted as an expedient to induce the Irish to acknowledge the King's Supremacy.

At the same time we mention, Henry VIII. assumed the title of *King*, instead of *Lord*, of Ireland, which the Kings of England had till then used. Writers on Irish affairs have agreed in supposing
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that the readiness with which the Irish Chiefs acknowledged the King's claim to Supremacy, though he had no forces in Ireland by which to overawe them, was owing to their being so pleased and dazzled with this new title of King. Sir John Davies hath first suggested this idea; which subsequent Writers have adopted, as they have done all Sir John's other opinions. But it is not likely that the change of a title, or simple word, in a foreign language which they did not understand, might very seriously influence the minds of the Irish Chiefs, and affect the nature of their Treaties and Covenants with Henry the Eighth: besides, the word *Dominus* (Lord) is a higher sounding word in the Latin language, than that of *Rex* (King), which used to be bestowed on the Irish Chiefs themselves: the Latin tongue was the language used in the intercourse with the generality of the Irish Chieftains, as their Priests were able to understand it.

The willingness of the Irish Chiefs to comply with the wishes of Henry VIII. in the affair of the Supremacy, was owing to another cause: it was owing to that Ordinance, or Covenant with them, being passed, that has been above mentioned, by which their native Laws were in future to be respected. The Irish Chiefs and Tribes had now cause to think that the King might be safely trusted to,—that he was determined in future to overrule his Advisers and his Lawyers, and that those national Laws by which Property continued to be insured among them, and those customs which they had imitated from their Forefathers, would no longer be made pretences of, for harassing them by unjust, ignorant, hostilities, and breaking Treaties entered into with them. Obliging the King, in such circumstances, in regard to his lately assumed Supremacy, they considered as an advantageous bargain.

The true reason of Henry VIII. for using the title of *King* of Ireland, was no other than to set aside, at the same time, the old title of *Lord*, which the Popes had conferred on the Kings of England, in that Bull by which the Sovereignty of the Island had been bestowed upon Henry

the Second. The King undoubtedly judged, that, setting aside a title which had been conferred by Papal authority, became a necessary measure, when he thought proper to renounce that authority both in England and Ireland. If the Pope now attempted to take the Sovereignty of Ireland from him, in the same manner as it had been formerly conferred, his Holiness was to be disappointed: there was no longer a *Lord*; it now was a King.

At length, in the reign of Queen Elizabeth, an army was sent which thoroughly effected the conquest of Ireland. The English Government, in effecting that conquest, had the best plea for justifying their conduct, that Conquerors can possibly alledge; which was the necessity of circumstances, and considerations derived from their own defence and safety.

The violent measures that had been pursued in the reign of King Edward VI. in order to establish the Protestant religion and liturgy in Ireland, had given rise to a considerable degree of disaffection among all persons of English race in that Country: the alarm had been extended to the Irish Tribes; and such a spirit of universal combination and opposition to the English Government, was beginning to take place in the reign of Queen Elizabeth, as had been unknown in former periods.

This disposition of people's minds offered a favourable opportunity to Philip II. King of Spain, for promoting his hostile designs against England. Partial invasions of Ireland were attempted by the Spanish Government several years before the sending out of their *invincible Armada*; and a Spanish Colony had even been settled from remote times, on the South-west part of the Irish coast. Spain, of all foreign Countries, is the most favourably situated for an intercourse with Ireland. The Spanish coast stretches so far out into the Atlantic Ocean, as to lie to the Westward of most of the Irish harbours. Westerly winds, that is, those winds which mostly prevail in that part of
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the world, are favourable winds for coming from Cape Finisterre to Corke, Waterford, &c. The Northern Spanish shore in fact lies both East and West of the Irish coast; and Spain is better situated for constant communication with Ireland, than France, or perhaps than any English harbour within the British Channel. Had the Spanish Armada attempted Ireland, they would have made a certain conquest of it. After the miscarriage of that Fleet, another might have been sent, which, assisted by the now universally disaffected Inhabitants, might have met with success. Nay, an army of several thousand Spaniards were actually sent, attended by a Pope's Nuntio, who got possession of Kinsale. And England thus found herself in danger of being beset, on East and West, by the power of Spain, so formidable in those days, and of lying in the middle between the land forces of the Spaniards, then centered in the Netherlands, and their naval strength and armaments, stationed in the harbours of Ireland. These considerations determined the English Government to make uncommon efforts to secure the possession of Ireland. Very considerable subsidies were voted by Parliament for that purpose; and an army of twenty thousand men, completely well provided, was sent, which, assisted by the advantages and footing already possessed by the Government in the Country, and by other favourable circumstances, effected a thorough reduction of all the different Lords and Chiefs who till then had ruled in the Island.

However, Queen Elizabeth did not live to see the conquest of Ireland brought to a thorough conclusion: for, the final capitulation with the great Chieftain O'Neal, was not signed till a few days after her death.

James the First is, therefore, to be named as the first English Sovereign who possessed the dominion of Ireland.

At this æra, all violent opposition to the Government, was put an end to. The spirit of Irish resistance was braied, to use the expressions of Sir John Davies, as it were in a mortar, with the *Sword*,

Famine, and Pestilence, altogether. The Law now penetrated into every remote corner of the Island.—Justice, the sword having first cleared the way, took the whole Country in her progress, in the same manner as the *Virgo* moves in the Zodiack preceded by *Leo*, as Sir John classically and elegantly expresses it; and the Judges were now enabled to proceed round the whole Kingdom, like Planets in their extensive Orbits; whereas their Circuits had till then been confined to the small precinct of the Pale, like the narrow circle which the *Cynosura* describes about the *Pole*.

At the same time that the power of the Judges and of the English Government was thus extensively fixed, the *leud* Irish laws and customs were abolished, and the English laws established in all cases without exception, through the whole Island. Lawyers had then business enough; and even more than enough. The Harvest was great, to use once more the expressions of Sir John Davies, but the Labourers few; (*Magna messis, sed Operarii pauci*) and “the number of the Judges was increased in every Bench*.”

As a further step for the settling of Ireland, numerous Colonies were sent from Great Britain to occupy the lands which had been taken from those Tribes and Chieftains who had been more particularly engaged in the war that had been lately terminated. King James gave uncommon attention to the framing of the Ordinances that were made for the proper settling of these Colonies; and all Writers have agreed in praising the judicious measures that were adopted, and in considering the zeal and success of the King in that respect, as the most laudable part of his reign.

* The power of the Law and of the Judges, did not become, however, quite so completely established in Ireland, at the beginning of the reign of James the First, as Sir John Davies describes it. Several insurrections took place in this reign, that were raised by Irish Chieftains: though they were quelled without any great difficulty, as their power and resources had been so broken by the late war.

The power of the English Government and Crown being now universally and indisputably established, there was a probability that the enmities of former parties would be in time forgotten, that those Inhabitants who had been compelled to adopt the English laws, would gradually perceive their advantages, and that a lasting peace might prevail in Ireland. But events had unfortunately taken place within the last fifty or sixty years, that were soon to disturb this peace, and give rise to animosities and contests as obstinate and bloody as those that had been lately terminated. It is here meant to speak of the religious dissensions, caused by the introduction of the Reformation into Ireland.

The first attempt to introduce the Reformation into Ireland, was in the reign of King Edward the Sixth. Henry VIII. being satisfied to have his supremacy acknowledged, and the authority of the Pope renounced, did not take any measure to enforce a farther change in the opinions of his Subjects in Ireland. But, in the reign of Edward the Sixth, orders were sent for using the English liturgy in all the Churches of the Colony, that is, of those districts wherein the authority of the English Government was acknowledged. Directions were also given for removing, selling, or destroying, the ornaments, and the instruments of popish superstition: and the Soldiers who composed the garisons stationed in Ireland, were employed for effecting these removals and destructions, which they performed with their usual zeal and alacrity in executing commands of this kind. In the mean time, Sir Anthony St. Leger, the Lord Deputy, was recalled, on account of his not being sufficiently assiduous in promoting the work of the Reformation.

In the reign of Queen Mary, the tables were reversed. The Latin liturgy was reinstated in the Churches, and their ornaments were restored. Protestants were, nevertheless, allowed to live sufficiently unmolested:

molested: they were not numerous enough in Ireland, to make persecution a profitable business.

In the reign of Queen Elizabeth, a fresh change took place; and the Churches were again denuded of their ornaments.

James the First pursued the same business of Reformation: but as the King's power in Ireland was now so far increased beyond what it had formerly been, so the measures for altering the religion of the Country were attended with more important effects. The directions concerning the Reformation, sent by the preceding Sovereigns, had only been enforced in the districts and Churches within the Pale: the orders sent by the Council of James the First now extended to the whole Island.

The principal measures that were adopted at the time of that Prince, for raising the Protestant, on the ruins of the Catholic, Religion, in Ireland, were the following:

In the first place, the Colony that was sent from Great Britain, to settle on those lands which had been seized by the Crown, as hath been above mentioned, was formed of Protestants; and a great many of them Presbyterians: a small Colony, formed on the same principle, had also been sent in the reign of Queen Elizabeth, to settle on the lands that were taken from the Earl of Desmond, a rebellious great Lord and Subject of blood, when he was subdued and attainted with one hundred and forty of his adherents, some years before the great war against the native Irish. The Protestant party by that means acquired that kind of strength, and weight, which results from considerable numbers. For, it is to be observed that there were scarcely any Protestants among the old English inhabitants of Ireland, and they were still fewer among the native Irish: the Reformation had made no progress whatever in Ireland.

In the second place, the majority, in the Irish Parliament, was allotted to the Protestant party, through the manner in which the Par-

liament was now composed, and in which the right of election was conferred on new erected Counties and Corporations.

There had been no Parliament held in Ireland for twenty-seven years before the time we are speaking of, which was the eighth year of the reign of King James the First. The Protestants were so few in Ireland, in Queen Elizabeth's time, that the Government of the Colony could not venture upon calling a Parliament: there was too little certainty of getting a majority on the Protestant side, even with the power possessed by the Crown of erecting new Counties and Corporations: this had been the cause of the long intermission of Parliaments that has been above mentioned. The Council of James the First, in the eighth year of his reign, had a more advantageous scope, now that the Island was universally subdued, and a numerous Colony of the Protestant Religion had been introduced, that was settled upon extensive tracts of land. New Boroughs were erected in those quarters occupied by the new Settlers. Even then the Government found themselves, at first, mistaken in their reckoning, through the remarkable ardour with which the opposite, or Catholic, party exerted themselves, especially in the elections for Counties: elections were lost where there was thought to be little danger of it; and even Privy-counsellors excluded. The disappointment was made up by speedily erecting fresh Corporations, or Boroughs, and conferring upon them the right of electing Members. Hence the complaints made afterwards by the Catholic party, that several new Corporations which had sent Members, had been erected, in order to the sending of precepts to them for elections, after the first issuing of the Writs for calling the Parliament.

By this exertion of all their resources, the Irish Government obtained a majority in the Lower House. On the first day of meeting, the Members of the Catholic party were found to be 101; and those in the Protestant interest were 125. The Catholic party being both greatly surprised and disappointed at finding themselves the minor number, at
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first refused to recognize those new Brethren that had been sent them by the new erected Corporations: a scuffle even took place in the chairing of a Speaker; each party putting forth a different person. But as the place of the meeting was in the Castle, as they were surrounded by a Protestant garrison, and all attendants had been dismissed, as well as swords left at the gate, the Catholic party were fain to submit. In the House of Lords, there were four Earls, five Viscounts, and sixteen Barons; in all twenty-five: to them were added twenty-five Protestant Bishops and Archbishops.

In order to complete the same course of measures, the penal Statutes that had been passed in the reign of Queen Elizabeth, were put in force. By virtue of these Statutes, no Man who refused to take the oath of Supremacy, could be invested with an Office in a Corporation, or be a Justice of the peace, or a Magistrate: he was not to be a Privy-counsellor, nor to be preferred to any Post in the Government: if a Lawyer, he was not to be admitted to plead at the bar, or to fill the office of Judge. All the higher dignities of the Church, together with Church livings, and Church emoluments, were moreover allotted to the Protestant Clergy, as a reward for their orthodoxy. A weekly fine was also to be laid upon every person who should neglect to attend the Church service.

By all the above ordinances and measures, the Protestant became established, to the complete exclusion of the Catholic Religion. And at that period arose those formidable party distinctions of Catholics, and Protestants, into which the Inhabitants of Ireland have since been divided.

The Protestant party was, on the one hand, formed by those Colonies that had, of late years, been settled in Ireland. They had on their side the strength of the Colonial Government, which was formed only of themselves; and the majority in the Parliament of the Island.

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On the other hand, the Catholic party was formed of the whole mass of the Inhabitants of Ireland, previously to the settling of the above Colonies: for, as hath been already observed, there were no Protestants in Ireland before that time: this will, very likely, induce the reader to think that it was not very wise to try to render the Protestant Religion universally dominant, in a Country so circumstanced.

At the period we are speaking of, the old distinctions of native Irish, degenerate English, English of Blood, and English of the Pale, were forgotten, and lost in the general denomination of Catholics. An union was now formed between the Irish Chieftains and Tribes, who, after losing their lands and their laws, were now to lose their religion, and the whole of the old English Colony, whose Lords and Men of influence were now to lose their consequence, whose Lawyers and Priests were thrown out of employment, while the numerous Commonalty had their Churches taken from them, and were insulted by penalties for not conforming to the religious rites of their Opponents. All were now united together under the common banner of the Catholic Faith, and turned their eyes towards the Protestant party as a common aggressor and enemy.

The resources of the Protestant party, for maintaining their ground, in the midst of so formidable a confederacy, could not be in their number; for, though considerable in itself, it bore no kind of proportion to those of their Catholic Opponents. And the advantage they possessed of forming the Colonial Government, and of having a majority in the Parliament, was only a strength of an artificial kind, which, without farther support, could not subsist long. Their real effectual resources were to be in their moderation, and in the support of the English Government. Of moderation, it appears from what has been above recited, that they had but little. Nay, they had none; for, when they found that the English Council of James the First was beginning

to use for their sake a wisdom and caution which they did not themselves possess, they proffered addresses against the “grievous sin of granting toleration to superstition and idolatry, and of being accessory to the abominations of Popery.” On the arrival of Lord Falkland, who had been sent as Lord Deputy, with general directions, it was thought, to pursue gentle measures, Archbishop Usher, in his first sermon before him, took for his text the words, *He beareth not the sword in vain.*

The final resource of the Protestant Reformers was in the ultimate support of the English Government: and, since it had been able to conquer the Island, it was natural to suppose that, by seriously exerting again its force, it might be able to preserve the conquest. But should that Government happen to be weakened in its seat by domestic dissensions, should its pressure and weight be at any time lessened, that fire which was kept smothered, must no doubt burst out; and terrible must be the explosion.

In the night of the 22d of October 1641, the Irish civil war began. Violent measures of the kind we are here speaking of, should never be attempted to be justified in writing: I shall therefore leave the sudden insurrection that broke out, in Ireland, in the seventeenth year of the reign of Charles the First, under the whole load of odium and maledictions which Writers have bestowed upon it.

The native Irish had begun the insurrection; and they were joined soon after by the old English Colony, the Lords, and the inhabitants of the Pale: the junction of these had been at first postponed by the miscarriage of the attempt upon Dublin. The Catholic party in Ireland were in reality stretching a hand to Charles the First. But this Prince was not able to see this. While under the pressure of the war waged against him by the English Parliament, and by his Scottish Subjects, he continued for years to consider the Irish and their Confederates,

as his enemies, and to give directions accordingly. When he had thoughts, at length, of employing their assistance, in the year 1645, it was become too late.

The Irish Insurgents had on the first onset, as hath been above mentioned, failed of seizing the City and Castle of Dublin. Armies of Scots had crossed the Straits between their Country, and the North coast of Ireland. Both the Loyalists, and the Parliamentary party in the Island, continued for a long time to unite against them and their Confederates. Assistance was sent by the English Parliament, as soon as they were able to spare it. Cromwell, with his Generals, in time followed; and an army of above thirty thousand foot, and fifteen thousand horse, was either transported or formed in Ireland, by which an end was put to the war in the year 1652, and Ireland conquered a second time.

New Colonies were transported into Ireland to occupy the lands that were either taken from the Catholic insurgents, or had become vacant by the destructive effect of the war, and the calamities that attended it. Sir William Petty mentions it as the most moderate calculation, that one third of the Inhabitants of Ireland had perished by the sword, famine, or the plague. Certain Writers have gone so far as to assert that only one eighth of the native Irish were left at the conclusion of the eleven years war that was terminated in the year 1652. This account must be exaggerated. However, all those native Irish who were existing, in different parts of the Island, at the time of the settlement made by Cromwell, were commanded to retire into the Province, or Division, of Connaught; which lies on the Western coast; and had become desolate, and almost destitute of inhabitants. They were obliged to give up their lands and titles to the Conquerors; and those assigned to each of them, were proportioned to the extent of those he surrendered. A certain day was also fixed for them to retire, upon the penalty of death.

The whole measure was an event of much the same kind as the expulsion of the Moors out of Spain. With this difference, however, that the Nation of the Moors had, about eight centuries before, been invaders of Spain, and were now driven out of it to a remote Country; whereas, the native Irish had been, time immemorial, in possession of their Island, and had now about one fifth part of it allotted to them.

At the period we are speaking of, the interest and power of the Old native Irish, as a distinct class of Inhabitants, was entirely broken; their numbers being from that time greatly exceeded by those of the Old and New Inhabitants of British race. They have continued to have consequence, as a distinct Class, by their alliance with the British Catholics, and their continuing to form a considerable part of the Catholic party.

Sir William Petty reckons, that, before the year 1641, the numbers of the Catholic party, in Ireland, was equal to about six times the number of the Protestants; and that, at the time of the Restoration, it was about four times *.

After the Revolution of the year 1689, another civil war took place in Ireland. It is not quite improbable that the remarkable willingness of James the Second, to withdraw from England, was owing to a settled design he entertained, of trying his fortune in that Island. The step taken by Charles the First, of trusting himself, in his distress, to an army of Scottish Presbyterians, instead of applying to the Irish,

* The injunction laid on the Old native Irish, to keep within the limits assigned to them, continued to be very strictly enforced till the Restoration; that is, during eight years. At that period, some among them got their lands back, in refunding their expences to those Adventurers who were in possession of them: and a free intercourse was re-established between them and the rest of the Island. Still, the Province of Connaught may be considered as continuing to form, at this day, their main Habitation or Settlement.

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while it was yet time, had very possibly continued to be looked upon in his family, as one of the worst faults he had committed.

In the beginning of March 1689, that is, about two months after he had left England, James the Second sailed from Brest with seventeen ships of war; and landed at Kinsale, on the twelfth.

He found the legal Government of the Country on his side. By altering the Charters of the Corporations, in the beginning of his reign, a majority had been procured in the Parliament to the Catholic party. The Earl of Tyrconnel, who was Lord Deputy, had already taken arms in his favour; and met him at Cork, where he delivered up his authority to him.

James the Second soon found himself at the head of forty thousand Soldiers; and with these forces he marched, first to Dublin, then to the North of the Island, where the strength of the Protestant interest lay. On receiving the news of the Revolution in England, the Irish Protestants had proclaimed William and Mary. They were afterwards assisted by an army from England, which sailed from Chester, under the command of Duke Schomberg; and King William followed, about eight months after (in June 1690) with considerable reinforcements.

James the Second was defeated on the banks of the Boyne. He soon after withdrew in a frigate belonging to the King of France, resigning Ireland to his Competitor, after a stay of about sixteen months since his landing at Kinsale. Considering the almost sure prospect of success he had during the first six months, his miscarriage must have been in great part owing to his want of abilities: but it may be added, that, had he possessed abilities and judgement, he never would have had in his life any occasion to command an army in Ireland.

The war was continued about a twelvemonth longer, between the Generals whom King William had left to supply his place, and the French and Irish forces. At length, the taking of Limerick put an end to the war. The celebrated Capitulation, otherwise called the Articles

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of Limerick, was signed on the third of October 1691. This capitulation was to form the law by which the rights left to Roman Catholics, in Ireland, were in future to be decided, and the Charter by which those rights were to be limited, and at the same time, securely established.

The principal Articles were, That the Roman Catholics should exercise their religion, in the same manner as they did in the reign of Charles the Second: that they should enjoy the common privileges of Subjects, being bound to take the oath of allegiance to the King, when required: and that they should have a right to have arms about their persons, or in their houses, like other Subjects.

These Articles, or Conditions, of Limerick, continued to be observed in King William's reign; and this Prince constantly resisted the endeavours of the prevailing party in Ireland, for having them repealed. Indeed, the fixed inclination of that Prince for religious toleration, does honour to his memory, and forms the greatest part of his character as a King. He received his reward for it, too. The general opinion which people entertained of his dispositions, enabled him as effectually perhaps as any other circumstance, to go safely through his reign, and to surmount the difficulties with which he was surrounded. Owing to his avowed tolerant intentions, no religious party was driven to desperation and extremities; and amidst the reciprocal aggressions of the different Sects upon each other, suffering Individuals continued to look up to him as to a Protector, or at least a person who wished to be so.

When the Commissioners from Scotland tendered the Coronation oath to King William, for that Kingdom, he stopped them, as they were reading that Article in which the *rooting out of Heretics*, was mentioned. He declared he did not mean to bind himself by it, to persecute any person for his religious opinions; and desired the Assembly present, to mark his declaration, and be witnesses to it. This was
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acting with spirit, considering that he had in a manner but just received his Crown; and with great judgement.

The just line of conduct, in regard to Roman Catholics in Ireland, we have above mentioned, ceased to be pursued in the reign of Queen Anne. Several Acts of the Irish Parliament were passed by which the Conditions of Limerick were gradually violated. And at length the famous Laws of *Discovery* were enacted, by which the triumph of the Protestant over the Catholic party was finally completed, after an hundred and ten years struggle.

By these Laws, the Roman Catholics were absolutely disarmed. They could not purchase land. If one Son did abjure the Catholic religion, he inherited the whole estate, though he was the youngest. If he made such abjuration, and turned *Discoverer*, during the lifetime of his Father, he took possession of the estate; his Father remaining a pensioner to him. If a Catholic had a horse in his possession, worth fifty, or an hundred pounds, or more, a Protestant might take the same from him, upon paying him down five pounds. If the rent paid by any Catholic was less than two thirds of the full improved value, whoever *discovered*, or turned Informer, took the benefit of the lease, &c. &c.

Three different periods may be distinguished in the History of Ireland. The first comprehends the time that elapsed from the first introduction of the English into Ireland, in the reign of Henry the Second, to the reign of King James the First; when the authority of the English Government was generally established. The second period reaches to the reign of King William: during this period the Protestant and Catholic parties were formed, and alternately triumphed over one another, till the Catholic party was overcome.

From the æra we mention, the affairs of Ireland have taken rather an unexpected turn, and different from what one might have thought. The animosities of former parties have seemed to be forgotten. The struggles between Catholics and Protestants have been suspended, or

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at least have made little noise in the World. Questions of politics have engrossed the public attention; and the rescuing of themselves, as a Nation, from a dependency on England, has become the object of the zeal and universal pursuit of the Inhabitants of Ireland.

Complaints against the interference of the English Legislature, had been made by Individuals, in sufficiently early times, in Ireland; particularly during the sitting of the Long Parliament in the reign of Charles the First: but these complaints had not been generally insisted upon.

In the reign of Charles II. the Act prohibiting the cultivation of Tobacco in Ireland, and the Navigation Act, in which Ireland is expressly named, were passed. These Acts, or at least their constitutional and political tendency, did not yet cause any great discontent in Ireland.

In the reign of King William several Acts were passed, by the English Parliament, in which Ireland was bound. One was intitled *An Act for the relief of the Protestant Irish Clergy*: it repealed the Act passed by the Irish Parliament, in the reign of Charles the Second, *for disabling spiritual persons from holding benefices in England, and Ireland, at the same time*: it was meant to enable those persons of the Irish Clergy, who were driven out of their Country by the war in 1689, to receive benefices in England. Another English Act prohibited all trade with France, both from England and Ireland. Another declared all the Acts of the Parliament held at Dublin by James the Second, to be void, without the present Irish Legislature being consulted. And a fourth English Act was, *for abrogating the Oath of Supremacy in Ireland, and appointing other Oaths*. All these Acts did not excite yet any considerable sense of public dissatisfaction in Ireland: no complaints were made against them in the Irish Parliaments that met in the years 1692, and 1695.

In the following years, however, the political tendency of the above mentioned English Acts, and the national dependence on England which

which they seemed to evince, happened to engage very seriously the public attention in Ireland. This attention, as well as the general dissatisfaction, gradually increased. And at length, in the year 1698, the famous Pamphlet written by Mr. Molyneux, was published, which is entitled, *The Case of Ireland being bound by Acts of Parliament in England, stated.* This Pamphlet, together with the high degree of notice that was taken of it by the English House of Commons, may be considered as having been the public opening of the controversy, and the political contention, between England and Ireland, since the beginning of this Century.

It is to be observed that there was, besides Mr. Molyneux's publication, another fact of a serious nature, though not very generally known at first to the Public, which caused the interference of the English House of Commons. The Irish Parliament, dissatisfied with the above recited Acts that had been passed in England since the beginning of the King's reign, had transmitted to the King in Council, for his Majesty's Assent, the Heads of a Bill, which, under colour of giving a farther sanction to those Acts, was meant as a kind of precedent, or declaration, for excluding afterwards the authority of the English Parliament out of Ireland. The opportunity of the appearance of Mr. Molyneux's publication was taken; a Committee of the House of Commons was appointed on the 21st of May 1698, to enquire into the Book; and, upon the report of the Committee, the House 'unanimously resolved,

' June 22, That the said Book was of a dangerous consequence to
' the Crown and People of England, by denying the authority of the
' King and Parliament of England to bind the Kingdom and People
' of Ireland, and the subordination that Ireland has, and ought to have,
' upon England, as being united and annexed to the Imperial Crown
' of this Realm. And that, occasion and encouragement to forming
' the dangerous positions contained in the said Book, had been given

‘ by a Bill entitled *An Act for the better Security of his Majesty’s person and Government*, transmitted under the Great Seal of Ireland; whereby an Act of Parliament made in England was pretended to be *re-enacted*, alterations therein made, and divers things enacted also, pretending to oblige the Courts of Justice, and Great Seal, of England, by the authority of an Irish Parliament.’

The House then, in a Body, presented an Address to the King, in which they enlarged both on the Book and *its pernicious assertions*, and on the dangerous tendency of the proceedings of the Irish Parliament. They concluded with ‘ assuring his Majesty of their ready concurrence, and assistance, in a parliamentary way, to preserve and maintain the dependence and subordination of Ireland to the imperial Crown of this Realm.’ The answer of his Majesty to this address, was, ‘ That he would take care, that, what was complained of, might be prevented and redressed as the Commons desired.’

Thus was the political war between the two Countries ushered in,—and the gauntlet thrown by one Party, bravely taken up by the other.

In the year 1719, another public important case of controversy occurred. It was the English House of Lords, who interfered this time. A cause relative to an estate was tried before the Court of Exchequer in Ireland, who gave a decree in favour of Maurice Annesly against Hester Sherlock. The House of Lords, in Ireland, was appealed to: they reversed the decree; and Hester Sherlock was put in possession of the estate. Maurice Annesly applied to the House of Lords in England, for relief: the House, proceeding upon the principle that the Peers of Ireland possessed no power of Jurisdiction, confirmed the decree; and an Order was sent to the Barons of the Exchequer in Ireland, to cause the possession of the estate to be restored to Maurice Annesly; which Order they were able, after some time, to effect. Hester Sherlock petitioned the House of Peers in Ireland: they ordered the
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three Barons of the Exchequer, *Jeffrey Gilbert*, *John Pocklington*, and Sir *John St. Leger*, into custody; and sent a representation of the case to the King. This representation was laid before the English House of Peers: who, after addressing the King, to desire that he would be pleased to confer some marks of his Royal favour on the Barons of the Exchequer, framed a Bill, of which the following is an abstract.

‘Whereas Attempts have been lately made to shake off the subjection of Ireland, unto the Imperial Crown of this Realm: And whereas the House of Lords in Ireland have of late assumed, against law, a power to examine and amend the Judgements of the Courts of Justice in Ireland: Therefore, be it enacted, that the said Kingdom of Ireland is subordinate unto, and dependent upon, the Imperial Crown of Great Britain; and that the King’s Majesty, by and with the consent of the Lords and Commons of Great Britain, has full power and authority to make Laws and Statutes to bind the People and the Kingdom of Ireland. And be it farther enacted, That the House of Lords of Ireland have not any Jurisdiction, to judge of, affirm, or reverse, any Judgement or Decree given in any Court within the said Kingdom.’—The Bill having met with the concurrence of the Commons, and received the King’s assent, became an Act of Parliament; so that the claim laid by the British House of Peers, to Jurisdiction over the Kingdom of Ireland, was, in case of future opposition, to be backed by the whole strength of Great Britain.

In the years 1751 and 1753, another remarkable contest took place. The difference was this time with the Crown. The subject was an unappropriated sum of money, remaining in the Irish Treasury, after the expences of Government were paid. Whose property was that money? who was to dispose of it,—the Crown, or the Irish Parliament? That was the question.

The Crown looked upon the money as being its property: and as it was not then wanted, it being time of peace, the Duke of Dorset,

then Lord Lieutenant, acquainted the House of Commons, that he was commanded by his Majesty to inform them, that his Majesty would consent that the money remaining in the Treasury should be applied to the discharge of their national debt. The House passed a Bill accordingly; but avoided saying any thing about the King's previous declaration. The Bill was transmitted to England, and was returned, that is, assented to, with the additional mention, however, of the King's preparatory leave and consent: the addition was submitted to, this time, and the Bill accepted in the Irish Parliament.

The question continued nevertheless to be warmly discussed among Politicians, till the following Session, that is, during two years: it was called the question about the *previous consent*: it was in reality about the property of the money remaining as a surplus, in the Treasury. When the Parliament again met, in the year 1753, the Lord Lieutenant made the same Declaration he had made two years before. The Commons, in appropriating the new surplus money, again avoided taking any notice of the King's previous licence: the mention of it was, as formerly, added by the English Privy Council. The Irish Commons this time rejected the Bill. The Crown then exerted its right, or claim, to the property of the money: and the King, by his letter, took it out of the Irish Treasury. The question was, however, of more importance to the Crown, than one might perhaps at first think. If the Irish Parliament had possessed a right, of themselves, to appropriate the overplus of money in the Treasury, the right to dispose of the whole must have been allowed of course, and the hereditary revenue would thereby have been rendered precarious.

We have recited the woes and oppressions of the Irish Nation; we are now to relate their conquests and their victories.

But before giving an account of the remarkable alteration in politics, that has, of late years, taken place in Ireland, it may not be amiss to mention the reasons of the long acquiescence of the Irish Legislature

in the Supremacy asserted by the English Parliament: for, it is to be observed that even the declarations of the Parliament of England, of Great Britain, we have just recited, were submitted to by the Parliament of Ireland. Those steps they had taken, which had drawn these declarations, were no more than mere attempts to alter their political situation: whatever public clamour might take place on those occasions, still the declarations and measures of the British Legislature, and the Crown, were acquiesced in.

In early times, the Irish Parliament and Colony could entertain no thoughts of independence and rivalry in regard to the English Nation and Legislature. That Parliament only represented the four small Shires that formed the Pale. It was summoned for the first time, according to Sir John Davies's account, (which is more likely to be true than any other) when an army of Scots, commanded by Edward Bruce, attempted an invasion of Ireland, about 140 years after the first introduction of the English, in the reign of Henry the Second *. The Irish Chieftains had nothing to do with that Parliament; nor the degenerate English; and those Lords of English blood who were possessed of extensive tracts of land out of the Pale, did not think the receiving of summons any very honourable circumstance: the Earls of Desmond even made it an express privilege of theirs, never to come to any Parliament, or walled Town, but at their will and pleasure. The Parliament of Ireland, previous to the times of James the First, was in reality no more than a Colonial Assembly.

In the reign of the Prince we have just mentioned, the whole Island having been divided into Counties, and Boroughs erected in these, the

* See the Discourse addressed by Sir John Davies to the Irish House of Commons, to which he had been elected Speaker: it contains a very pretty account of the formation of the Parliament of Ireland, and of the designs of its meetings, in subsequent times. It is printed at the end of the second Volume of Dr. Leland's *History of Ireland*.

Parliament of Ireland may be considered as having then begun to represent the Kingdom. But their consequence could not be such as to enable them yet to think of independence: they stood besides actually in need of the authority of the English Legislature, and of the sanction of English Acts of Parliament and Statutes, for settling their Country. During the Century that followed, Ireland either became the seat of civil wars, or was recovering from the devastation which they had occasioned.

Since the beginning of the present Century, Ireland has acquired great importance as a separate Kingdom and Nation. Ireland is equal, in the numbers of her inhabitants, to Scotland, and possesses some superior advantages in regard to climate and goodness of soil: still, reasons have existed, which have prevented there, till these latter times, the rise, or at least the exertions, of that spirit of restlessness and violent National jealousy which used to take place in Scotland, and has constantly been manifested by those Nations who, being possessed of considerable internal power, have been precluded from being the seat of the Government.

In the first place, the prevailing Interest in Ireland, even after the Catholic party had been subdued, were kept in a constant state of alarm from the numbers and effectual strength of that party. The degree of serious attention that continued to be given to that object, conspicuously appeared from the manner in which the Crown was settled on the House of Hanover by the Irish Parliament. The reader has seen in a former place, how great an advantage the Scots had taken of the event we mention, in regard to the English Nation, and to the Crown: they had stripped the latter both of its legislative and executive authority in their Country. The Irish Parliament, on the first proposal made by the Lord Lieutenant, in the beginning of Queen Anne's reign, confirmed that Settlement which had been fixed upon in England; only adding another Act, by which Roman Catholics were disqualified from

from serving as Members of Parliament, and from voting at elections: they also availed themselves of those particular periods of time, in the same reign, when the present establishment happened to be thought in danger, for obtaining farther laws against the Catholics, and at last, those laws of Discovery which have been above mentioned. But they went no farther; even though the quarrel with the English Parliament, about Constitutional Supremacy, had been already seemingly engaged, a very few years before, on occasion of the publication of Mr. Molyneux's Book, as hath been above recited.

At the same time that the Irish, as a distinct Nation, were thus weakened by their own internal division, Great Britain either continued at peace with the rest of the world, or was so successful in her foreign wars, till the year 1763, that the internal security of her Administration was rather increased by them; while her outward force was augmented to a degree that precluded all thoughts of open defiance and overt opposition in any part of the Empire, to the operations of her Government.

Besides those disadvantages in fact, Ireland and her Parliament laboured under others, in point of form. An hereditary revenue had been settled upon the Crown, in the reign of Charles the Second, which was more than equal to the expences of the internal Government of the Island: the Irish Parliament were therefore possessed of no effectual means to ascertain the time of their sitting, as they had no power to stop necessary supplies, either presently, or after the expiration of a certain time prefixed by them. Neither had the Crown any want of their concurrence, either for regulating, or increasing, the army in Ireland; as the practice was to have Mutiny bills for the whole Empire enacted, as well as the quantum of the forces settled, by the British Legislature. To these circumstances of form it may be added, that the Irish Legislature possessed but a limited freedom of debate: they were in regard to the introducing of New Bills, and of getting them passed, under
these

those restrictions which have of late years become the subject of public discourse, under the name of *Poyning's law*.

This situation of Ireland and her Parliament, which we have just now described, has proved the cause why the struggles of her People for independence on English Government, have continued, during the greatest part of this Century, to be confined to wishes and vehement speeches and publications. Even the measures entered upon by her Legislature, with those views we allude to, were only attempts, as hath been above observed, only steps by which to try to enlarge their power and consequence. Acquiescence was paid to those repulses which they met with, from the Declarations, expressed in sufficiently lofty language, of the two Houses of the British Parliament, as well as to the checks which they did at times receive from the Lords Lieutenants, when they attempted to meddle with the hereditary revenue, or to offer short money Bills, that is, for a shorter time than two years. And those steps of theirs which had failed of success, were seldom insisted upon, or renewed.

The facts that have been above recited give an exact state of the Constitution of Ireland, considered as a distinct Kingdom, as it stood previously to the late disputes. I mean to speak of the Constitution of fact (*de facto*), merely. It is not my design to inquire into the Constitution of right,—or to examine into the doctrine of Mr. Molyneux, or the opinions of Locke, and other Writers on those subjects. There is a certain particular knot to questions of this kind, which those persons who have discussed them, have not thought of: hence those contradictions, and the visible anxiety, which their Writings exhibit. But it is not my intention to say more in this place on the subject: I only intend to describe the changes that have been lately effected in the political situation of Ireland: it was necessary for that purpose, to give an account of that mode of governing which was, in former years, adopted by the British Government, in that Country, and was acquiesced in.

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The real period at which affairs have began to present a different aspect, and take a decisive turn, in Ireland, was in the year 1778. It is also to be remarked, that, at that time, the Government of Great Britain, after being embarrassed during several years by vehement domestic disputes, was weakened by the defection of its distant Colonies, and the expensive war in which it was involved by that defection: and a great European Power had just taken part in the quarrel, and sent its fleets and armies to act in concert with the Colonies. This was the time which the Men of influence in Ireland thought it adviseable to seize as a proper opportunity for increasing both their own private consequence, and the particular advantages of that part of the Empire to which they belonged. This design which began to be pursued by the Irish Nation, at the time we are speaking of, was no very extraordinary instance in the History of Mankind. Taking advantage of the wants in which a Government stands of assistance, or of the fears it entertains of fresh and multiplied opposition, has been practised in all times and in all Countries, and is a mode of conduct which Great Men in Britain, and Members of the British Legislature, have no very particular right to condemn.

The first object to which the Leaders of the Irish Nation directed their endeavours, was, the repeal of those restrictions that had been laid on their trade, by Acts of the British Legislature. In consequence of the steps that were taken on that subjects, in Ireland, either by addresses from public Meetings, or Parliamentary debates and resolves, the affair was introduced into the British House of Commons, in April 1778, by the motion which a Member made for that purpose, certain ordinances, relative to the trade of Ireland, were, on that occasion, after some debate altered.

These alterations did not appear sufficient in Ireland; and the public dissatisfaction was again expressed in a loud, unequivocal, manner. The subject was therefore again introduced into the British Parliament: and

the consequence was, the repeal of the law passed in the reign of Charles the Second, prohibiting the planting of tobacco, together with a provision concerning the cultivation of hemp, which was meant for the benefit of Ireland. This was in the beginning of the year 1779.

These concessions were not yet so fortunate as to give satisfaction. The sense of the Public was again declared; and the discontent was manifested by symptoms quite different from those that had attended the complaints made in the time of King William, and the subsequent reigns. Towns and Corporations, as well as public Meetings of the People, took a share, this time, in the contest. General agreements against the importation of English commodities were entered into, in imitation of what had been practised a few years before in America; and the refractoriness of those persons who either refused to subscribe these patriotic agreements, or did not fulfill them exactly, was punished by those summary and effectual chastisements in the inflicting of which the populace use so laudable to co-operate. A very eloquent Agent also at that time began distinctly to make its appearance in favour of the Irish Public,—an Agent extremely serviceable for obtaining political successes: I mean here to speak of the Armed Associations.

The most probable account of the origin of these Associations, is, that they first began to be formed about the end of the year 1777. A Member of the Irish House of Commons had, the preceding Session, proposed a Bill for establishing a national Militia, as the army stationed in Ireland had been gradually draughted, and sent to America; which left the Country defenceless, and the coast exposed to the insults and petty invasions of the American privateers. The Bill miscarried: and, as the County which the Gentleman who had moved for the Bill, represented, and in which his estate lay, was situated on the Southern coast, he declared that his intention was to form a *Volunteer Militia* in his County, and to arm his Friends and Tenants. This declaration was soon after fulfilled. The scene of novelty, and various diversion, which became

became opened by the learning and practising of martial exercises, and the forming of military Bodies, soon diffused a temptation into the neighbouring Counties, to imitate the example. The noise of arms, which was resounding, at that time, from the other parts of the Empire, was a farther incitement. To which must be added the real usefulness of the zeal that was manifested by the People on that occasion, as France, much about that time, began to act an open part in the war. The Associations were soon formed in the North, as well as in the South. By the end of the year 1778, they had become in a manner general; and the number of the enlisted *Volunteers* amounted then to about thirty thousand Men.

As a conclusion of this account of the origin of the armed *Volunteer Associations*, it may be added that, on the 18th of April 1782; besides twenty-two Corps, which had lately acceded to the Confederacy, but had not yet made any return. It may also be mentioned, that, Government having began in the course of the year 1779, to guess at the kind of political engine the *Associations* might be turned into, had made offers of Commissions and pay; which were declined:—they also ordered sixteen thousand stand of arms to be distributed, by way of shewing, we may suppose, that they were not afraid: these were accepted.

The Government, in England, had guessed right: the Volunteer Associations had infused a new spirit into the Politics of Ireland. This spirit was caught, and openly manifested, by the Parliament that met in October 1779. The partial concessions in regard to trade that had been made from England, about nine months before, were spoken of in the Debates, in much the same terms as they were out of doors; and at length a Resolution was passed, “ That it is not by temporary expedients, but by a *free Trade* only, that the Nation is now to be saved from impending ruin.” This resolution was added as an amendment to an Address to the King; and the ceremony of delivering the same to the Lord Lieutenant, was graced by the presence of the Dublin

Volunteers, who lined the streets from the Parliament house to the Castle.

In order to give weight to the address, a short money Bill was soon after brought in. Notwithstanding the novelty of the measure, the Bill succeeded; and being transmitted to England, it was there accepted: a circumstance which might appear still more unexpected.

The Address that had been transmitted to the King, and the accounts that had reached England, relative to the proceedings in Ireland, caused the matter to be again brought before the British Parliament. Eloquent descriptions were given of the vehement dispositions of the Irish Nation, of the numbers and martial spirits of their Volunteers: the Orators took care to extenuate nothing. The dread which the Minister entertained of hurting the interests, or prepossessions, of the English Manufacturers and Traders, whose patience, in those difficult and expensive times, it was so necessary to cultivate, now gave way to more pressing considerations. A Bill was brought in by the Minister himself, and passed, by which all restraints were this time taken from the trade of Ireland: their trade was then placed on the same footing as that of the English Nation, both in regard to foreign Countries, and to those possessions in the West-Indies, and elsewhere, which had till then continued to be denominated, English Colonies or Plantations. This was in February 1780.

The Advocates for the Irish Nation and Volunteers, had strengthened their arguments with promises and predictions, that, after the benefits of free trade had been granted, peace and quiet would be universally restored in Ireland. The Minister had partly believed it. In fact, the splendor of the illuminations that were made in Dublin, and most other Cities, soon seemed to confirm the justness and sagacity of such expectations. However, subsequent events shewed that both parties were mistaken.

Claims

Claims relative to trade indeed ceased to be pursued with the same warmth as before:—after obtaining an equality in that respect, it was rather impracticable to unite in asking for more; at least so soon. A transition was made to politics. And since the trading part of the Nation had been freed from bondage, it was natural to wish that the Nation at large might likewise be rescued from constitutional dependence and slavery: besides, if it were not so, there was danger that the British Legislature might treacherously resume those advantages which it had lately granted.

The wishes which Politicians in Ireland, now began to express were,—in the first place, to free their Nation and Legislature from any dependency on the British Legislature, by obtaining the repeal of the declaration Act passed in the 6th year of George I. that has been above recited, in pag. 59.

In the second place, to rescue their Courts of Law from the Jurisdiction of the British House of Peers, and have this superior Jurisdiction allotted to the Peers of Ireland.

In the third place, to set aside the controul of the Crown, by the abolishment of those restraints which were laid upon the Irish Legislature, in regard to the framing of New Bills, and of getting them passed. These restraints, as the reader is very likely informed, were grounded on that Statute of the Irish Parliament, enacted in the reign of Henry the Seventh, which has been denominated *Poyning's Law*, from the name of Sir Edward Poynings, who was then Lord Deputy. This Statute was a kind of standing Order of the Parliament of Ireland, passed into Law, by virtue of which, as it stood at first and for many years afterwards, no subject was to be debated upon, in Parliament, but such as should be first transmitted to England, and allowed by the King in Council, to be introduced. This Act, Sir John Davies says, (pag. 231.) “had been made at the prayer of the Commons, upon just and important cause:” it was probably meant as a protecting regulation, when

when the Commons only represented the four Shires of the Pale, against the Parliamentary enterprises of the Lords and great Subjects of blood. In subsequent times, a change was made in the above ordinance. New subjects might be introduced and debated upon, in order to form what was called *Heads* of a Bill. The Parliament of Ireland continued then to be under two restrictions: the one was, that the Privy Council of Ireland might stop these *Heads* of a Bill, refusing to transmit them to England: the other was, that the English Privy Council, either of themselves, or from the suggestions of the Attorney General, might make what alterations they thought proper in these Bills, and in short finish the framing of them; in which State, if it was thought proper to return them, they were sent back, in order to their being laid, exactly as they stood, before the Parliament of Ireland, who were to accept, or reject, them without alteration. These two restrictions, the Public, in Ireland, as is above said, wished to have abolished.

They also wished that their Parliament might be invested with the power of passing Mutiny Bills: that is to say, of refusing such Bills, for Ireland, when they should think proper, or passing them for what time they pleased: the Crown being thenceforth to depend on them in that respect.

The independence of the Judges was also considered as an object very desirable to be obtained.

The additional articles of freedom that have just been recited, began to be thought of in Ireland, after the liberty of trade had been obtained. In the night in which the streets of Dublin were illuminated, (February 1780) hand-bills had been circulated, containing early exhortations to the Public, concerning those articles. In April following, a Member of Parliament made a motion tending to the same objects: he was desired to postpone. Warm and zealous Writings also continued to be published, in order to inform the Public. At length the Volunteers thought they might possibly be useful to forward the business. In order

order to render their advices more respectable, they formed a Congress, by means of their Delegates, who met at Dungannon. These Delegates both cleared and settled the political notions of the Public: they resolved what had till then only been wished for: and, in a Declaration of about thirteen paragraphs, they gave decisively their opinions in favour of those articles of freedom that have been above recited.

It may be added in this place, that the numbers of the Volunteers had, during the two last years, kept continually increasing. The Delegates, at Dungannon, had been sent from a hundred and forty-three Corps or Associations: other Corps were daily adding to them; and they were in possession of an hundred and twenty-eight pieces of cannon.

As another fortunate circumstance in favour of the constitutional freedom of Ireland, a change in the Administration of England, took place about that time (March 1782). The Ministers who were then placed at the helm of the Government, manifested dispositions of less reluctance than the Minister before them had done, in regard to gratifying the political wishes of the Public in Ireland; and they shewed themselves to be perfectly convinced that the discontent and agitation that continued to prevail in that Country, were owing to the insufficiency of the steps that had been taken for satisfying them.

Steps were immediately taken for repairing the loss of time in the preceding years. The new Ministers were appointed on the 30th of March 1782. On the third of April, they recalled the Lord Lieutenant of Ireland, and appointed another. On the ninth of the same month, one of the Ministers introduced into the House of Commons, the business of the discontents in Ireland, apologizing at the same time for not having done it sooner. He represented "the beneficial consequences
" that would result to the commerce and prosperity, the ease and happiness of both Countries, from a speedy gratification of the political
" wishes of the Irish Nation."—He at the same time added, " That
" persons

“ persons would soon arrive from that Country, who were to bring a
 “ precise information of what were the wishes and what were the ex-
 “ pectations of Ireland,—that, as soon as Ministers should be in pos-
 “ session of those facts, they would communicate them, in order that
 “ both Houses together might then go hand in hand, and in certainty,
 “ upon the business, and do it effectually. The only delay in the busi-
 “ ness, not a long one certainly, would arise from the procuring, and
 “ bringing over, these necessary informations; which delay he had no
 “ doubt but the House would allow, since their intentions were founded
 “ in reality and *seriousness* *.”

The House admitted the propriety and usefulness of those measures, in general, which the Minister had just described, and granted the short delay he desired. Similar sentiments were also expressed in the House of Lords. While, at the same time, it was made publicly known, that a new Lord Lieutenant had been named for Ireland, and that his instructions were to be framed in conformity to those satisfactory measures which were to be pursued.

To use dispatch in England, in framing resolutions for contenting the Irish Nation, and at the same time, to shew negligence and delay in conveying the information to them, would have been nugatory. As the Minister himself had observed, “ the new Lord Lieutenant was just
 “ setting off for Ireland: it was indispensibly proper, that, on his ar-
 “ rival at Dublin, the People of Ireland might entertain no doubt of
 “ the intentions of the new Ministers, and the inclination of the Crown,
 “ and the British Parliament.” Such a necessary information was accordingly without loss of time dispatched. On the evening of the same day (9th of April), and as soon as the Minister had concluded his speech, both the Secretaries of the New Lord Lieutenant, and of him who was recalled, severally set out from London. A state Messenger (Mr. Needham) had preceded them a few hours before.

* See Parliamentary Debates, and the Political Magazine for the year 1782, p. 421.

(CONTINUATION, BY ANOTHER HAND.)

The arrival of the two Secretaries in Ireland was immediately followed by that of the new Viceroy. And the Irish Parliament, meeting the very next day after the landing of the Duke of Portland in April 1782, was uncommonly crowded by strangers, who had been drawn together by motives of curiosity or by zeal of patriotism. A new Governor, thus sent to that distracted kingdom with such uncommon dispatch in the middle of a Session, could not fail of being regarded as the bearer of important tidings; and the message sent by him to the Lower House, together with the comments made upon it by the Minister who delivered it, soon gave the public to understand, that the purposes of his mission were of the last importance to the Irish Nation, particularly with regard to the constitutional question which had been so warmly agitated, and was at length laid at rest.

In answer to the King's message, thus signified by the Lord Lieutenant, the House voted an Address to his Majesty, declaratory of the rights of the People of Ireland, and fully stating the causes of their discontents. This declaration was introduced as an amendment to the Address originally voted, and was the suggestion of Mr. Grattan, who was equally eminent for his eloquence and popularity. He prefaced his motion for the Amendment with some very forcible illustrations of the Declaration of Rights, which the Address was intended to convey to the foot of the Throne. "This Nation," says he, "is connected with England, not by *Allegiance* only, but by *Liberty*. The *Crown* is one great point of Union, but *Magna Charta* is a greater. We could get a King any where, but England is the only country where we could get a Constitution. We are not united with England, as Judge Blackstone has foolishly said, by Conquest, but by Charter. Ireland has British privileges, and is by them connected with Britain. Both countries are united in Liberty." He then stated the terms which he conceived his country entitled to sti-

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polate for the future security of her Constitution, and which are particularized in the Address under a declaratory form; they were as follows:

A Repeal of the 6th of George I. including a Restoration of the Appellant Jurisdiction to the Lords of Ireland.

An Abolition of the unconstitutional Power of Privy Councils;

And a Repeal of the Mutiny Bill.

A Judges Bill he refrained from mentioning, as he had heard that it was assented to in England. These were the points which the people of Ireland had strongly in view immediately after the enlargement of their Commercial Privileges had been obtained. They were desired, as being in some measure cautionary, for the more secure and perfect enjoyment of both mercantile and political freedom; they had been first publicly avowed at the Dungannon meeting, as an object coinciding with the general wishes of the nation; and they were at length unanimously adopted by the House of Commons, and voted by the Lords in Ireland.

The subject was resumed in the British Parliament; and resolutions passed both Houses (May 17th) for repealing the obnoxious act, and for addressing his Majesty that such measures might be taken by the Government as should establish the connexion between the two kingdoms upon a solid and permanent footing.

Thus was the first step taken towards allaying whatever discontents and jealousies had arisen in Ireland, on account of a Statute which seemed injurious to the national liberty of that Country. Its commercial and constitutional rights were thus settled on the basis of equal independence with that enjoyed by the people of Great Britain. These rights were not, however, as yet perfectly defined; and a series of revolutions in the British Cabinet intervening, it was not till the following year, that the full independence of Ireland, both with regard to Judicature and Legislation, was finally secured. Another bill was passed in 1783, consisting of two parts, one of which confirmed and declared the meaning of the Legislature in repealing the 6th of George I.; and the other abandoned the exercise

ercise of the appellat jurisdiction of Great Britain. By this law, the Supremacy of the House of Lords in Ireland, in all matters of appeal from the inferior tribunals in that country, was thus finally established. The business of a Mutiny Bill was also settled to the satisfaction of Ireland.

The concessions, which were thus made by these acts of the British Legislature in favour of the Sister Nation, were of so liberal and decisive a nature, as immediately to do away all unfavourable impressions that had arisen in the latter on account of the invidious state of political dependence in which she had been so long held. They appeared, indeed, so satisfactory to a grateful people, and to the Parliament of Ireland at once vigorous and prudent, that the measures of Government were now received in that Kingdom with the most cordial support. For, notwithstanding some attempts were made by the more zealous Members for a reduction of the Military Establishment on the close of the American war, and for passing a six months Money Bill, both proved unsuccessful; the motions for these several purposes being thrown out by majorities, which shewed the confidence of the Country.

The people of Ireland, having thus restored and improved their Constitution, were induced, from the effects, which had recently attended all their political endeavours, to carry the spirit of reform a step farther. The inadequate state of Parliamentary Representation, together with the long duration of Parliaments, were considered as unconstitutional and intolerable grievances. The Volunteers, therefore, who had before so successfully spoken the voice of the nation, once more came forward, and, in a meeting of their delegates at Dungannon (September 8th 1783), pledged themselves to each other and to their Country, to seek a speedy and effectual redress of those grievances, and to make every necessary exertion for obtaining it.

An aggregate meeting was also convened of the Citizens of Dublin, for the purpose of recommending this object of popular desire: and here it was proposed that five persons should be elected from each County, City, and

great Town in the Kingdom, to meet in a National Congress, at some convenient place in the Capital, in order to determine on such measures as should seem most conducive to the attainment of the Reform so anxiously desired: A Petition was voted to be presented to his Majesty, explaining the sense of the Nation upon the subject, and representing, amongst other causes of complaint, that a Bill for a more equal Representation of the People had been rejected by their own Representatives in Parliament even without discussion; that protecting Duties had been denied, which were deemed necessary for the encouragement of the infant Manufactures of Ireland, and which England had thought expedient, even in the present flourishing state of her commerce. The petitioners finally prayed for the Dissolution of a Parliament, which had viewed their proceedings with jealousy, and rejected their desires with firmness.

The measures, which were thus recommended at this aggregate meeting of the Citizens of Dublin, were afterwards repeatedly adopted, and Resolutions similar to the former were passed unanimously by other conventions of men who concurred in one design.

It is here to be observed, that a remarkable part of the Irish Reform was a communication of the Rights of Election to the Papists of that Country. This proposal, which had been thrown in for the purpose of disunion, met with the disapprobation of some of the highest characters among the Volunteers; and it has been remarked of the whole plan, that, even if it should be admitted as necessary in England, it by no means will follow, that it is necessary in Ireland. The Representatives of Ireland are chosen by a much greater proportion of the people, who can be prudently qualified to vote, than in England. The change of property in the former country, and its divided interests, (the property and established Government being comparatively in the hands of a few,) were said to be objections against throwing the power of Election into suspicious hands, more particularly as no qualification, with respect to property, is required for obtaining a seat in the Irish Parliament. With regard to the protecting

protecting Duties, which had been denied by the same Assembly to the earnest calls of the Dublin Manufacturers, it has been affirmed, perhaps with justice, that they would have produced infinitely greater inconveniences than they were meant to obviate: for, if high duties were laid upon English Manufactures, the consequence would be, that the British Parliament would not only retaliate, but the Irish must buy at an enhanced price, what they could not do without, which would distress, rather than relieve them.

The ardour of discussion, which had exerted itself upon constitutional questions, now again gave place to the interests of commerce. The political regulations had originally been applied to remedy evils comparatively remote in their effect, and often existing more in apprehension than in reality; they were attended rather with circumstances of splendour than of immediate utility, and they were therefore justly regarded as less useful than extensions of trade; but the changes made in the external Legislature of Ireland were instantaneously felt and enjoyed. These changes, and the enlargement of her commercial privileges, had been conveyed in terms sufficiently perspicuous to the mercantile people of both Nations; but the immediate intercourse between the two Islands, which was still obstructed by acts of the British Parliament, and by the prejudices of the British traders, required to be made more open and free, by an adjustment of such points as had not been yet arranged.

For this purpose, it was deemed highly expedient, that whatever regulations might appear necessary should be first discussed in the Irish Parliament, in order that the British Minister might be enabled to state what that assembly had in expectation, and upon what terms they were willing to cooperate in the formation of a permanent system. As this adjustment of commercial concerns was to bear the force of a Treaty, final and perpetual, between two independent Nations, touching their most obvious interests, it was natural for the Manufacturers and Merchants of both countries, who were immediately liable to be affected by its operation, to examine every

every part of the system with the most minute and jealous attention. It was alledged, that the Union between England and Scotland, which is so finely recorded by De Foe, was a work of infinitely less consequence than the present measure, and whatever might have been the obstacles thrown in the way of the former, they were but trifling, when compared to the jealousies, terrors, and apprehensions excited by the prospect of this incorporation of disunited rights. Questions of a political nature may sometimes be above the comprehension of the many; but where the interests of trading communities are supposed to be concerned, every artisan becomes as quick-sighted as the most experienced negociator. The commercial arrangements between the Sister Kingdoms were said to be pregnant with the most tremendous revolutions in private property, as well as in the national wealth and prosperity of both Kingdoms: for every article of the regulations contained in them was reprobated on both sides of the water, with a degree of heat and acrimony that is always most forward and apparent when founded in error.

The condition, requiring that the trade laws of both should always be the same, alarmed the jealousy of the Irish people for their constitutional independence. On the other hand, Great Britain regarded this point as so essential to the naval defences of both that she seemed determined never to admit Ireland to a full participation of commercial privileges without a similarity of commercial laws, which the Irish Legislature had often passed since the epoch of its independence. But ambiguous words were now plentifully scattered among the Irish people, which made them look with apprehension to the annual precedents of their own Parliament.

Though this system has been mentioned as a compact final and perpetual, yet without enacting any thing, it contained only declaratory matter, which formed the ground work of future Acts of Parliament, that were to establish specific regulations conformable to the principles held forth in the general Resolutions.

To speak impartially of the merits of this business, it must be allowed to have originated in the desires of the Irish Parliament, and in the laudable ambition of the Minister whose measure it was, to effectuate a comprehensive and final understanding, between two kingdoms that ought to be united to each other by every tie of interest and affection. The appellation of Sisters was never more deservedly applied than to Great Britain and Ireland. The hand of Nature itself has placed them under one Sovereign, enjoying a similarity of Government and Constitution, and has connected them by the soundest alliance of mutual wants and reciprocal supplies. No wonder then that the furtherance of so great an object, as the closer connexion of two Countries, thus united by so many ties, should be one of the first measures adopted by a Minister who wished well to the prosperity of both. Called to the direction of national affairs at the close of a ruinous and impolitic war between the Mother Country and her Colonies, he naturally aimed at retrieving her losses by the various arts of peace, and by the aids to be contributed by Ireland out of the surplus of her hereditary revenues. And apparently no means could be more eligible for effecting this purpose, than a system, whose object was to enlarge and ascertain the national advantages which mutually result from an intercourse of commerce between the two Islands.

This opinion naturally suggests itself to an impartial reviewer of this transaction. For it cannot be supposed that a business of such transcendent magnitude, would have received the sanction of the Parliaments of the Sister Kingdoms, had it been injurious to the commercial and political interests of both; though the objections raised against it were equally violent on both sides. Prejudice, indeed, is not the growth of one soil more than another; and we need not look further than the History* of the Union with Scotland, to see measures of the most approved utility impugned and calumniated by the ill-founded prepossessions of the day.

* See De Foe's History of this famous Union.

It only remains to be observed, that the modification proposed by the above mentioned commercial arrangements, appears (particularly in one article respecting the application of the surplus of the hereditary revenue of Ireland) to correspond in its principle with a plan said to have been proposed a few years ago by a nobleman of the most respectable abilities, the substance of which is nearly contained in the following words :

“ Would it not be wise in Ireland to say to the British Government, I will pay you a neat 7 or 800,000*l.* a year, applicable to your annual supplies, or paying off your debt, and leave the defence of the Kingdom entirely to your own discretion, on condition that I shall never have any military charge or pensions laid on me; the remainder of the revenue to be at the application of my own Parliament, for the uses of interior Government only, and for the encouragement of the trade, manufactures, and agriculture of the Kingdom. That you shall give me in return a specified freedom of commerce.---This surely would be the wisest bargain that Ireland ever made.---The Parliament of the Kingdom would still retain both importance and business---and perhaps the advantages of an Union would be enjoyed without its inconveniencies; for the Parliament would remain for the civil protection of the Kingdom, and the British Legislature would not be deluged by an addition of Irish Peers and Commoners; one reason among others which made the late Earl of Chatham repeatedly declare himself against such a measure.” The Earl of Shelburne, adds the writer from whom this quotation is drawn, “ has assured me of this fact; nor let me omit to add, that to that nobleman I am indebted for the outlines of the preceding plan.”

The necessity of defining the commercial claims of the two Kingdoms still subsists in all its force; and since the experiment failed which was intended to effect this, it has been argued that a commercial treaty of any sort would be insufficient for the purpose. For, it is said, that no commercial treaty between two Kingdoms, with independent Legislatures, though under the same King, can, or ever will produce a real and effectual

effectual consolidation of interests. That is, supposing the treaty to be in fact admirably calculated for mutual advantage; yet, the idea of two independent nations still remaining, the greater number will ever consider their interests as distinct, independent, and often incompatible. That the mercantile interests of the two Kingdoms have been for ages regarded as incompatible, is evident from the severe restrictions that so long discouraged the commerce of Ireland. But if an effectual consolidation of interests be the legitimate object of every commercial Treaty between two independent Nations, and if a deficiency of the mode be an argument against any particular treaty; then the project of a commercial Treaty with any foreign Nation, particularly with France, must be the most futile that ever could enter the imagination of an English Statesman: for, who ever thought of an *effectual consolidation* of the interests of France with those of Great Britain, though the real interests of both may be promoted by a commercial agreement, stipulating reciprocal facilities? Yet, we have seen such a treaty adjusted and ratified between France and Great Britain, and have every reason to expect the most beneficial consequences from its operation.

But the truth is, as must be obvious to a moment's reflection, that in such treaties it is not a *consolidation* of interests that is meant to be effected, but an *equalization* of them; not that the interests of both parties should be to every extent the same, but that where interests are distinct, independent, and often incompatible, they may be so modified by mutual concessions, that neither party shall derive any advantage from such arrangement, which shall not be compensated to the other. Now there appears no reason why this should not be as feasible with regard to Ireland as to France, though a similar attempt indeed has not turned out equally successful, since political jealousy proved too powerful for mercantile interest.

The failure of the late commercial arrangements between Great Britain

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and Ireland, which had been so ardently desired by the true friends of both, has induced many well-informed men to insist, that an incorporate Union of the two nations is the only adequate and lasting remedy, which can prevent hereafter the inconvenience of mercantile altercations, or the danger of absolute separation. In support of this opinion, they urge respectable authorities and weighty arguments. But, leaving the merits of such a measure to the irrefragable decisions of time, which frequently takes pleasure, as it were, to expose the fallibility of political reasonings, it must be admitted, that the Irish Privy Council, in 1676, and the Irish House of Peers, during the reign of Anne, proposed an incorporate Union, as the most effectual means of improving the commercial advantages of Great Britain and Ireland, and of securing the stability of the British Empire upon a permanent foundation.

It is remarkable that this measure has been strenuously recommended by advocates of all parties, and of both nations. An Irish writer, urging the advantages of a Union, has quoted authorities largely in support of his opinion. As the grand remedy, says he, for the decline of foreign trade, Sir Matthew Decker proposes to unite Ireland, and to put all the subjects of the two Kingdoms upon the same footing in trade. Sir Josiah Child recommends the same measure. Dr. Campbell says, that the main drift of his Political Survey, was to open men's eyes on the importance of all the parts of the British territories, as being at once the only natural and certain means of establishing the grandeur, procuring the safety, and fixing the permanency of the British Empire; a triple alliance, or rather strict Union between England, Scotland, and Ireland, being the only league necessary to make his Britannic Majesty the most potent Monarch of Europe.---Sir William Petty saw it in its true light at a very early period, and points out as the first impediment to England's greatness, that "the territories thereto belonging are divided into so many Kingdoms and several Governments. There be, continues he, three legislative powers in England,

land, Scotland, and Ireland, which, instead of uniting together, do often cross upon one another's trade, not only as if they were foreigners to each other, but sometimes as enemies."

To these may be added the opinions of some of the most intelligent and respectable living characters of the present age*. The Duke of Richmond, who, as a friend to Ireland, was expressly solicited by the Volunteer Delegates of that Country for his advice upon the subject of constitutional reform, thus frankly expresses himself in his reply to them. "I have always thought it for the interests of the two islands to be incorporated, and form one and the same Kingdom, with the same Legislature, meeting sometimes in Ireland, as well as England.---I am sensible that there are great difficulties attending the adjustment of such an Union, and that it requires great wisdom and temper to form it, especially on the part of Ireland, which must feel that she ought to give the preponderance to Great Britain; but I am sure that the business ought not to be neglected, and that every true friend to both Kingdoms ought to give it his most zealous assistance."

The same is the opinion repeatedly given by an eminent Divine, who has written frequently upon subjects of national importance, and whose writings, for sound sense, perspicuity, and freedom from party, have justly commanded the public attention: the proposal of incorporating both the British Isles together, Dean Tucker represents as having long been the wish of every generous, disinterested Patriot of both Kingdoms, and the benefits that would result from it as equally interesting and important to both.

That an Union between Great Britain and Ireland would produce no solid disadvantage to the Irish commerce, is a position which ought not to be admitted, because it cannot be easily proved: for, allowing every degree of splendour to the acquisitions that Ireland has lately made in that respect, she cannot surely be said to enjoy at this moment such well grounded

* Lords Sydney, Carlisle, Derby, Camden. See Stockdale's Parliamentary Debates, July 8, 1785.

hopes of flourishing by trade, as if she were put in every respect upon the same footing with Great Britain. Indeed, were political prejudices, which ever regard show more than substance, fairly laid aside, and the genuine advantage of Ireland solely considered, that nation has every reason to wish for such an event. "Ireland," as an ingenious writer of that Country remarks, though she traces her antiquity to the remotest period, "is not four score years old in the period of improvement;" nor is it probable, that, even with the advantages which she has already obtained, her trade will make any considerable advances towards the flourishing condition in which that of Great Britain has been for a century past. "Enthralled as she has long been," continues he, "by evil habits, the most perfect freedom will not at once emancipate her. Manners have a greater influence than laws. It will require much time and a fostering hand to rear industry in that soil, though planted ever so carefully. Before it will bear the rich fruits of arts and commerce, a long series of years will pass away. As a horse that has been thrown and bound to have some operation performed on him, yet continues to lie still after being loosed from all his cords, just so would it be with Ireland. A considerable portion of time must elapse before she would begin to exert the powers that she possessed."

Ireland, as Sir Matthew Decker justly observes, is too poor to carry her trade to the extent of which it is capable, so that were it as free as it is possible to make it, *which can only be effected by an Union*, it must nevertheless be still carried on by English stocks. Consequently, adds he, a great part of the profits of it must fall into the hands of the English merchant. The immediate balance of advantage between the two islands, must certainly be for some time in favour of England. Nor can any sensible change happen in the Irish trade, in case of an Union, or in any other case that can possibly affect it, at least for this generation, unless the English merchants should open warehouses in the ports of Ireland, and then they would profit themselves without injuring their native country. This method has already been adopted in the linen trade

trade of Ireland, which owes much of its success to the English capitals embarked in it. But this method will by no means become general, or even take place to any considerable extent, while the two islands continue in any other form of commercial relation, than that which an Union would create. The reason of this is plain, the English merchant will never embark his capital in what he considers as a foreign country, the trade of which being under regulations in many respects very different from the British, will not have sufficient attraction to induce him to renounce, or forsake, even in part, the traffic with which he is well acquainted, and the profits which he hath long enjoyed. But he will be far less disposed to make this renunciation in favour of a species of traffic which he probably considers as interfering to a degree of strenuous rivalry with the proper commerce of his native country. Whereas both Governments being united internally and externally, their code of commercial regulations being of course one and the same, the mercantile interests of particulars, though trading on different sides of St. George's Channel, will also be perfectly the same, nationally considered; that is, they will be as much the same as the interests of merchants trading from the same country can be, which do not immediately clash or interfere in a private view; they will be regarded as conducing to the general prosperity of the same commonwealth. Like bees labouring for the same hive, they will no longer look upon each other as belonging to a swarm of interlopers, but range the vast fields of ocean with concord and unanimity, gathering the riches of all-bounteous Nature, wheresoever industrious enterprise shall point them out. There will always be enough for all. No trade can be overstocked in a free country, if the departments be fitly arranged. There will be room enough at all times for the exercise of all the industry of both countries without clashing.

Finally, it has been demonstrated, and is a truth generally received, that a poor nation can never carry away from a rich one, those manufactures, the cheapness of which depends chiefly on large capitals.

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Much has been said of the cheapness of living in Ireland; the division of labour, and habits of industry; but the Scotch live not more expensively than the Irish, yet experience proves that no English manufacture has been injured by their competition since the Union.

It may not be amiss here to observe, that the removal of those impolitic commercial restrictions and disabilities which were formerly laid upon Ireland and its consequent extension of trade, has entirely changed the state of the question, with regard to the expedience of an Union between Great Britain and Ireland; consequently the greatest part of the arguments used in support of it, previous to that æra, as they tended to prove the advantageous effects to Ireland, of such an enlargement of trade, assumed as a circumstance necessarily connected with and resulting from the Union, are now inapplicable; as, on the other hand, the objections of those who feared the pernicious consequences to Great Britain, of allowing such unlimited commercial privileges to the Irish, as this Union would create, are equally done away. The emancipation of the commerce of Ireland, has proved experimentally to the advocates for the question, that many of those advantages which they describe, can exist independent of an Union, and to its opposers, that the disadvantages apprehended from it to the trade of England have been in a great measure imaginary.

The principal objections therefore to an Union on the part of Ireland at present, are the encrease of absentees; the want of a Parliament for protection against the officers of the crown; and lastly the increase of taxes. The first and last objections, if they are admitted to be evils, imply the impoverishment of the Kingdom, and were objected in Scotland against the Union which has taken place; but the fact is directly otherwise, and Scotland since that fortunate epoch has continually augmented her opulence. Nor can a nation be thought on any mercantile principle to be a loser, which exchanges the residence of idle country gentlemen, for a numerous race of industrious farmers, manufacturers, merchants, and sailors. As to taxation, it ought to be considered that it always did, in every state,
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follow prosperity and wealth, when necessity required, or prudence directed, for the public welfare. The second objection seems to have been nearly as strong in the case of Scotland, and yet the evil has had no existence; the four Courts of Dublin would of course remain, though the Governments were incorporated; nor does it appear that any great protection results to individuals from a Parliament, which the law of the land does not give. Yet upon this ground of objection, every corporate town in Ireland would, no doubt, found the alarm against an Union with Great Britain; for, as they would some of them lose the rights of returning members to Parliament, and of course their consequence, they would represent every plan of incorporation as pregnant with dishonour and ruin, while interest would concur with vanity, to represent that as extremely dangerous which might be usefully safe.

People accustomed to the pomp and pageantry of state come at length to lay a high value on them. Nor are the Irish singular in their attachment to such matters. It was provided by a clause, added to the articles of the Union of Scotland, that their Crown and other regalia should remain at Holyrood House. And such was the popular prejudice against the Union, while the treaty was in negotiation at Edinburgh, that it became necessary to call in the army to protect the houses and persons of those who were supposed to favour it.

It is obvious, on the other hand, that England would gain from the opulence of Ireland, which would bear a part of the expences of their future wars, without sharing in the burthens of the existing debts. Some assert, that Ireland is already taxed higher than England, if the trade and resources of both Nations be considered; but in reply to this it has been observed, that Ireland is rather unequally than heavily taxed: for residents there pay but little, and absentees pay no large contribution towards the expences of Government. Equitable taxation therefore can only be expected from an incorporation with England.

It may indeed be said, "Why should we contribute to lessen the incumbrances

cumbrances of Britain?" For the best of reasons. A junction of both Kingdoms, instead of being pernicious to the one, by involving her in a participation of the debt which the other labours under, would, from the prosperity that must thence accrue to both, enable not only Britain in a greater degree, but Ireland, to contribute to the diminution of the present national incumbrances. From being two distinct Sovereignties they would coalesce into one state with a better chance for stability than in their divided condition, and the lesser Kingdom, by becoming, under these circumstances, a part of the united whole, would reap such advantages as to enable her, in the midst of encreasing prosperity, to pay her proportion with ease.

That such would be the advantageous effects of an Union on the commerce and wealth of Ireland, is rendered probable by one improvement which remains to be mentioned, and which would be the certain consequence of an Unity of Legislature. It is undeniable that the laws are in much less force in Ireland than in Great Britain. The state of society in the former country would owe much to a vigorous and impartial administration of justice, similar to what obtains in the latter. The violent outrages that are unaccountably permitted to exist in one Province of Ireland, while they render the property and domestic peace of individuals uncertain, will ever be an unfurmountable bar to the flourishing of internal Commerce; without which it is impossible for any Nation constantly to derive any advantage from the happiest establishments. The picture that is drawn of these violations of order and law in Ireland, by a publick-spirited Prelate of that Kingdom, is really alarming.

"The present proceeding, says he, is not a paroxysm of phrenzy originating with ignorant and rash peasants, but a dark and deep scheme planned by men skilled in law and the artifices by which it may be evaded. These enemies to the publick peace, though nominal Protestants, suggested to the farmers to enter into a combination under the sanction of an oath, not to take their tithes, or to assist any Clergyman in drawing them; and a
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form of summons to the Clergyman to draw, penned with legal accuracy, was printed at Cork, at the expence of a gentleman of rank and fortune, and many thousand copies of it circulated with diligence through the adjacent counties. In order to render these oaths universal, the Whiteboys, sometimes in numerous bodies, sometimes by delegates from such bodies, tendered them at the Romish Chapels and market towns. At the same time, to avoid the appearance of intending to rob the clergy of their whole maintenance, they published, and the newspapers copied, a tithing table, which, however, was never generally adhered to by them. The rates proposed by their several parties varied in different parishes, and in the same parish at different times, as the terror of their number increased. In some parishes these diminutions were followed by a resolution to admit no composition for tithe. It is worth remarking, as an evidence that the *poor* were not the authors of this disturbance, and that their relief was not the real object of its promoters, that the Whiteboys did not aim to render *potatoes* tithe free, but from the beginning insisted on annihilating the tithe for *hay*."

Here it may be observed, that the wealthy graziers in Ireland, who form perhaps the principal part of the landholders, being, by a very impolitic act of the Legislature, exempted from paying tithes of agistment, would, in this case, almost absolutely cease to contribute to the maintenance of the established Clergy, "whose duties are more arduous than those of their English brethren, in proportion to the opposition of Dissenting sects in Ireland, and more laborious in proportion to its want of civilization. And in no country in Europe," adds the worthy Prelate, "do they require so general an information in religious controversies, and at the same time so great a share of civil prudence in the Parish Minister, as in this Kingdom, distracted as it is, more than any other country, by jarring sects, and in a political situation delicate beyond any other, from its inferiority in power to the Sister Kingdom, and from the various objects of rivalry and jealousy between them. This combination," continues he, "was as effectual to

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deprive the Clergyman of almost his whole income as forcible opposition, and had tithes been their only object, they had no motive to proceed further. This, however, did not content them. *They took the arms out of the hands of Protestants*, whom they could not suspect of employing them in defence of tithes. They levied ammunition, and money for the express purpose of purchasing warlike stores; forced individuals who had taken tithe to swear to break through their agreement; menaced and ill treated persons who served process, or should appear at the assizes to prove contracts for tithes; proceeded to commit savage acts of cruelty on the servants of the clergy, and at last to attack their persons; to force them to swear to give up their property, to prepare graves for them, and to threaten some with tortures and death. They intimidated vestries from levying money for the repair of churches, for the payment of the legal salary of the officers attending the Church, or the purchase of elements for the Holy Communion; refused payment of Church rates, and rescued the goods distrained for the same by the parish officers; nailed up one Church, and bound themselves by oath to burn another; they broke open Gaols, set fire to hay and corn, and even to houses, especially those occupied by the army; and at last had the audacity to threaten the cities of Limerick and Cork, and the town of Ennis, the capital of Clare, with famine, and to take measures for interrupting a supply of provisions by public menaces to fishermen and farmers; they threatened to burn a whole town, unless a Whiteboy confined there was released: but the circumstance which appears most alarming, (as it is the strongest evidence of system,) is their having established a kind of Post Office for communication, by which probably they are enabled to convene such public meetings as their own notices prove they actually hold. Into this state of savage anarchy they have reduced the province of Munster, and continue nightly expeditions for their grand object, that of *disarming the Protestants and arming themselves*, not only in that province, but in that of Leinster, *within fifty miles of the capital*. What were the motives, let the measures declare; what will

will be the effect on the Protestant religion and interest, and of course on the connexion of this country with Great Britain, unless the Legislature shall take a firm, decided part, is too evident."

This is, doubtless, a hideous picture, which an amiable painter has drawn from the life. It speaks to the feelings of Great Britain and Ireland, how much an Union between them would promote a similar administration of law in both, with the same effects of peaceful deportment and laborious application. *From doing nothing, we learn to do ill.* When restrained by wholesome coercion within the bounds of law, and when deprived of occasions of violating the public tranquillity, the lower orders may be gradually weaned from habits of turbulent poverty, and embrace in exchange the more eligible enjoyments of decent competence and real freedom.

Upon the whole, an incorporate Union of Great Britain and Ireland may be pronounced a most desirable object to both Kingdoms ; yet it is certainly not without its difficulties. Every measure of such extraordinary magnitude, must be supposed to meet with a proportionable opposition. In the adjustment of so weighty a business, besides the obstacles that arise from the very nature of it, inveterate prejudices, and contending interests, would not fail to create many additional hinderances. All these might, however, be obviated, and finally removed, by the temperate management of well-chosen commissioners from both countries. It may, perhaps, be justly asserted, that the Union of England and Scotland was a work far more delicate, and still more difficult from ancient prejudices, and recent innovations, than would be found, if attempted, with Ireland : for, supposing the external obstacles originating from human passions to be equally out of the question in both cases, the perfect similarity of the constitutions of England and Ireland, both as to church and state, would make the people of both much more easily coalesce. No small part of the difficulty, that was encountered in the Union of Scotland and England, arose from their difference of Church Government, since even now,

though these Kingdoms are incorporated, their religious establishments, as De Foe remarks, are only confederated: on the other hand, the established Churches of England and Ireland are the same in both Kingdoms. Thus one half of the obstacles which then occurred, would not be found to exist in the negociation for an Union with Ireland.

At the same time, it must be owned, however great the expedience may be, that we can hardly expect any future period to present so favourable a juncture, nor any thing like the same relative situation between the two Kingdoms, as took place at the time of the Union with Scotland. Innumerable causes operate to make it unlikely, that we should ever recur to the terms upon which the Governments of England and Scotland then stood; nor indeed is it to be desired that we should. The formidable strength of England, owing to a successful foreign war, or rather a continued series of the most brilliant victories, enabled her Government to carry her point, however unpalatable the Union might have been to a great part of the Scottish nation. This age has seen the case reversed, and Great Britain in circumstances extremely different; but if Scotland has felt the advantages of an Union with England, which parties admit, in augmented commerce, wealth, and tranquillity, and if the same beneficial effects are justly to be expected from an incorporate Union of Great Britain and Ireland, it would be honourable to both parties, as well as conducive to the general harmony of the Empire, were such a measure adopted, from a clear conviction how many advantages would result from it to both.

This argument has been stated by the respectable Divine, whom I have already mentioned, with so much brevity, clearness, and force, that I was induced to publish at large the THIRD PROPOSAL of DEAN TUCKER, in 1750, for incorporating the *British Isles* into ONE KINGDOM, thinking every

every reader would be glad to peruse the sentiments of so able a writer on so interesting a subject.

“ III. P R O P O S A L.

To incorporate both the British isles together, and to make one Kingdom in all respects as to Parliament, trade, and taxes.

This proposal of incorporation has long been the wish of every generous disinterested patriot of both kingdoms. And indeed, inexpressibly great would be the benefit on both sides. The Irish would share in the advantage of our trade, and we in theirs. By permitting them to get rich at the expence of the French, they would be enabled to ease us of the burden of the worst and heaviest of our taxes :---whereas at present, the French, through our own unaccountable infatuation, get rich at their expence. By this mutual benefit, neither Kingdom would be looked upon as foreign to the other: but the goods of both would be imported duty-free, or perhaps be considered only as coming coast-wise. The hostile prohibition against wearing, or using the produce of either Kingdom, would be repealed; and all that unnatural war between the commerce of the two Nations, would be at an end: which would be attended with these further happy consequences, That many of the necessaries of life would be imported cheaper into England, than they now can be purchased; a great advantage this to the merchant and manufacturer :---and many more of the luxuries, ornaments, and delicacies of living, would be exported from hence into Ireland. For most certain it is, that in proportion as Ireland grew rich, they would take the lead for the richest of their cloaths, furniture, plate, jewels, equipages, &c. &c. from England. Likewise the inducements of being near the Parliament, the Court, the public funds, &c. would bring many more Irish families to reside, and spend their fortunes here, than now do. In short, whatever wealth Ireland would draw from other countries by its produce, manufactures, and happy situation; all that would continually center in England.

But

But here, methinks, I hear SELF-INTEREST making an outcry, "they would run away with our trade." But pray, let me calmly ask, Who would run away with it? or where would they run to? Why truly our own people, our own countrymen, (who may as justly be called so, as the inhabitants of any neighbouring county,---and are some of the best, and most faithful subjects the Government has) would perhaps carry some part of a manufacture from us to themselves.---But what detriment would this be to the public? The People of Yorkshire have done the very same thing by Gloucestershire and Wiltshire. Let us therefore have a meeting of the clothiers of these two counties to petition the Parliament, that the Yorkshire looms and mills may be all broke and destroyed: for they have run away with our trade.---This is so ridiculous and absurd a proposal, that I believe there is no person living, but must see and feel it to be so. And yet let me ask, Is not this the very case with respect to the objection against incorporating with Ireland? Or if there be a difference between the two cases, I should be glad to know wherein it consists? Is Ireland to be looked upon as a distinct Kingdom?---More is the pity: for as the two Kingdoms have but one common Head,---one common interest both in Church and State,---the same friends,---and the same enemies; they ought to have been long since consolidated together.---But allowing it to be called a distinct Kingdom at present, till it is united: so is Yorkshire a distinct county, and was formerly, in the times of the Heptarchy, a kingdom likewise distinct from the two counties above mentioned. Is Ireland a great way distant from England?---Yorkshire is at a greater distance still from the counties above mentioned, and the communication between them is not so easy by land, for the purposes of commerce, as the other is by sea.

"But Ireland is more advantageously situated for the trade to the West-Indies; therefore---" Therefore we must deny our own people the benefit of trading, because they are advantageously situated for carrying it on. This is a weighty argument: Bristol, for instance, is better situ-

ated

ated for the Irish trade than London ; therefore let us Londoners petition, that the port of Bristol may be locked up.

It would be an endless, and a tedious piece of work to wade through such gross and palpable absurdities. One thing is plain and obvious, that self-interest, the bane of all public good, is driven to hard shifts, in order to cover such views as she dare not openly avow. If England itself was divided into two kingdoms, one comprehending all the south, the other all the north side of the Thames, and there were hostile prohibitions against importing certain sorts of goods from London to Southwark, and *vice versa*, and high duties upon all the rest : many individuals on both sides, would find their own private interest in upholding the division, and would cry out, upon any proposal being made for an Union--These foreigners will run away with our trade---They are better situated than us---Our trade is in danger. But would this cry weigh with upright men on both sides, who had the welfare of the community truly at heart? ---If it would not, what shall we think of the same argument when urged against Great Britain's incorporating with Ireland?"



